

# HOUSE JOURNAL

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EIGHTY-EIGHTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SIXTY-NINTH DAY — TUESDAY, MAY 23, 2023

The house met at 10:26 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1974).

Present — Mr. Speaker(C); Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Absent, Excused — Herrero.

The invocation was offered by the Reverend Jakob N. Hurlimann, chaplain, as follows:

Lord God, desire of every heart, you are compassionate towards all, hearing the prayers of those who approach you in trust and humility. Listen to the hearts of these, the members of this house, your servants and your children, who desire to do your will, who desire to bring your presence into the lives of those they serve through their decisions here. Grant a renewed strength as they approach the close of session in these final days. We ask this through Christ our Lord. Amen.

The chair recognized Representative C.E. Harris who led the house in the pledges of allegiance to the United States and Texas flags.

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for today because of important business in the district:

Herrero on motion of Walle.

**CAPITOL PHYSICIAN**

The chair presented Dr. Zachary Sartor of Waco as the "Doctor for the Day."

The house welcomed Dr. Sartor and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

**REGULAR ORDER OF BUSINESS SUSPENDED**

On motion of Representative Metcalf and by unanimous consent, the reading and referral of bills was postponed until just prior to final recess.

**HR 1681 - ADOPTED  
(by Davis)**

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 1681**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1681**, Congratulating Dr. Terre Quinn of Allen on being named Ms. Texas Senior America 2023.

**HR 1681** was adopted.

**HR 1682 - ADOPTED  
(by Davis)**

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 1682**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1682**, Commemorating the 150th anniversary of New Hope Baptist Church in Dallas.

**HR 1682** was adopted.

**HR 1736 - ADOPTED  
(by Davis)**

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 1736**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1736**, Congratulating Mari Spivey Willis on her recognition by the City of Odessa during Black History Month 2023.

**HR 1736** was adopted.

**HR 1737 - ADOPTED  
(by Davis)**

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 1737**.

The motion prevailed.

The following resolution was laid before the house:

**HR 1737**, Congratulating the Honorable Eddy Spivey on his recognition by the City of Odessa during Black History Month 2023.

**HR 1737** was adopted.

**BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 28).

**MAJOR STATE CALENDAR  
SENATE BILLS  
THIRD READING**

The following bills were laid before the house and read third time:

**SB 29 ON THIRD READING  
(Lozano and Gerdes - House Sponsors)**

**SB 29**, A bill to be entitled An Act relating to prohibited governmental entity implementation or enforcement of a vaccine mandate, mask requirement, or private business or school closure to prevent the spread of COVID-19.

**SB 29 - REMARKS**

REPRESENTATIVE HINOJOSA: I didn't get to ask you these questions yesterday. I was preoccupied with other legislation that we were working on and so if you wouldn't mind answering a few questions I have about this bill, I'd like to understand the intent behind why you brought this bill to begin with.

REPRESENTATIVE LOZANO: Yes, absolutely. At some point at the very beginning of the pandemic, there was what was beginning to be a patchwork of local mandates that were shutting down communities. This bill would prevent that patchwork from occurring. Essentially, Governor Abbott's executive orders GA-38 and GA-39—in other words, for the governor to continue to do those executive orders in the event of another COVID outbreak, this essentially would not require that anymore.

HINOJOSA: But aren't we still under the governor's executive orders for COVID in the State of Texas?

LOZANO: I believe we are still. This would relieve the governor of having to do that.

HINOJOSA: So you believe the governor has to maintain his broad power over our state, including the power to waive laws that this body passes, because local governments can require masks and shutdown government buildings temporarily to prevent the spread of COVID?

LOZANO: It wasn't just limited to that. Actually, it was shutting down economies. I mean we are talking \$14 trillion of a loss to our GDP. It was a very difficult time for our nation and those lockdowns have not—the studies out there, there are studies on both sides. But by and large, the lockdowns that almost killed the hospitality industry, the cruise ship industry, the airline industry, shopping malls—it cost millions of jobs in a very short period of time. In the end, they weren't shown to actually have that much of an impact on the spread of COVID. This would prevent that. Now, I know at the very beginning the science was hit or miss. I have a family of doctors—my father and sister and family members—and there were people that were being put on ventilators for four, six, eight weeks. The minute you take them off that ventilator their lungs can't keep up on their own. I mean it was ridiculous science that was being practiced—medicine in some areas—and everyone has learned from that. When we get to the economy, it is something we still have not recovered from. So this is geared toward the economic portion of another COVID pandemic. It's just to make sure that our economies are not shut down anymore.

HINOJOSA: But I know you would agree with me, would you not, that we would never put the economy over human lives—the lives of Texans and our families. Is that correct?

LOZANO: That's correct, but they are not mutually exclusive. We can keep our economy going strong and protect lives as well. And at one point they were choosing what at that point they believed was lives at the expense of the entire nation's economy. We almost lost all of our GDP but for government economic intervention which then led to the massive inflation we have today. There were so many mistakes made at so many levels. This is just to address not shutting down the economies again in a patchwork way and to ensure that private companies can still allow and require things in their premises. We took some amendments yesterday that allow not just nursing homes but also assisted living centers—these are confined populations of vulnerable people—to try to make this bill stronger.

HINOJOSA: And I appreciate that you have these carve-outs for hospitals and our prisons as well as our state-supported living center. I know we saw terrible spread of COVID and lots of deaths in these institutions. I appreciate that, but at the same time I remember when COVID first hit. I remember being a mother terrified. We had no vaccines. We weren't quite sure even how it spread. I mean I remember Lysol-ing my packages that were delivered through the mail at the time. We didn't quite understand the science of COVID, but at the time it made sense. I think now we are used to living in this new era of this virus and we are

accustomed to what it takes. But then before we had all the answers, I appreciated, as a mother, my school district putting the lives of our kids and our families ahead of potential loss of learning, even. Because my first priority as a mother is to keep my child safe and alive. And so what concerns me about this bill is yes, we have vaccines today and so far they are very effective, but what if this virus morphs into something that, again, we have questions about? What if it morphs into something that our vaccines can't protect us from? What if it morphs again into a virus that destroys families and takes our loved ones away? Why would we tie the hands of our local electeds to ensure that our public spaces are safe?

LOZANO: Well first, I want to avoid a debate on the effectiveness of vaccines or masks. The studies show clearly that the benefit of wearing a mask is now proven to be negligible. Vaccines—the effectiveness of them preventing transmission, dropped from 91 percent to 60 percent. I will say, though, that when you have people that have preexisting conditions—they are up in age, they have respiratory problems already like COPD—the vaccines did show that they were less likely to be going to the ER and less likely to die from COVID. But this bill is not about that. This bill is about the economy and ensuring that we don't deprive our region of the ability to generate the income it needs to pay for schools or to pay for public roads. When you shut down an economy—that is literally the lifeblood of that region. We can't have that happening in a patchwork way. We have to have everyone sailing in the same direction. And if you cannot—if you are guessing at it, it is going to be a disaster. That's what happened—no one knew. Now, we have variants coming out from COVID and the variants show that with each variant the vaccine is less effective, but this bill doesn't address the health aspect. The World Health Organization and the CDC have declared that COVID is no longer a pandemic, but you look at our chamber and we still have the little sanitizer bottles around. There's communities and private companies that can still take the measures they want, but we can not shut down our economies. Our kids cannot shut down their schools. Look at what's happening to our kids. The mental health from them not being in a socialized atmosphere is something that I don't know if they will ever recover from. So these executive orders prevented that. We want to make sure the governor doesn't have to keep doing executive orders and that this is codified in the law. And just to protect our economy, which by and large, will protect our people.

HINOJOSA: But I remember specifically when we were at the height of COVID, we had outbreaks in certain regions of this large state that were specific to, for instance, El Paso went through a terrible outbreak where they had bodies collecting of community members who had died because they could not bury the bodies fast enough. In the Valley, we had a similar experience of an outbreak that locals could not keep up with. And so doesn't it make sense to have our local electeds respond—

LOZANO: This bill does not apply to measles. It only applies to COVID. The World Health Organization deemed COVID-19 is no longer a public health emergency.

**SB 29** was passed by (Record 1975): 87 Yeas, 60 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

### **SB 7 ON THIRD READING (Hunter - House Sponsor)**

**SB 7**, A bill to be entitled An Act relating to the reliability of the ERCOT power grid.

**SB 7** was passed by (Record 1976): 134 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine;

Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Vo; Walle; Wilson; Zwiener.

Nays — Anchía; Collier; González, J.; González, M.; Hinojosa; Meza; Moody; Ramos; Sherman; Turner; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Jones, J.; Ordaz.

### STATEMENTS OF VOTE

When Record No. 1976 was taken, I was shown voting yes. I intended to vote no.

Bowers

When Record No. 1976 was taken, I was shown voting no. I intended to vote yes.

Hinojosa

When Record No. 1976 was taken, I was in the house but away from my desk. I would have voted yes.

J. Jones

When Record No. 1976 was taken, I was shown voting yes. I intended to vote present, not voting.

Morales Shaw

### SB 2627 ON THIRD READING (Hunter - House Sponsor)

**SB 2627**, A bill to be entitled An Act relating to funding mechanisms to support the construction and operation of electric facilities.

**SB 2627** was passed by (Record 1977): 118 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Frank; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Metcalf; Meyer; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Raney; Raymond; Rogers; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine;

Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Turner; VanDeaver; Vasut; Vo; Wilson.

Nays — Allen; Bryant; Canales; Flores; González, J.; González, M.; Goodwin; Harrison; Hayes; Hinojosa; Isaac; Leo-Wilson; Martinez Fischer; Meza; Moody; Neave Criado; Ramos; Reynolds; Romero; Troxclair; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Bowers; Davis; Frazier; Jones, J.; Morales Shaw; Price.

### STATEMENTS OF VOTE

When Record No. 1977 was taken, I was in the house but away from my desk. I would have voted no.

Bowers

When Record No. 1977 was taken, I was shown voting no. I intended to vote yes.

Canales

When Record No. 1977 was taken, I was in the house but away from my desk. I would have voted yes.

J. Jones

When Record No. 1977 was taken, I was in the house but away from my desk. I would have voted no.

Morales Shaw

When Record No. 1977 was taken, I was shown voting no. I intended to vote yes.

Neave Criado

When Record No. 1977 was taken, I was shown voting yes. I intended to vote no.

Ordaz

When Record No. 1977 was taken, I was shown voting no. I intended to vote yes.

Reynolds

When Record No. 1977 was taken, I was shown voting no. I intended to vote yes.

Romero

**SB 18 ON THIRD READING**  
**(Kuempel - House Sponsor)**

**SB 18**, A bill to be entitled An Act relating to the tenure and employment of faculty members at certain public institutions of higher education.

(Goldman in the chair)

**SB 18** was passed by (Record 1978): 83 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gates; Gerdes; Geren; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Jones, J.; Lopez, J.

**STATEMENTS OF VOTE**

When Record No. 1978 was taken, I was shown voting yes. I intended to vote present, not voting.

Hunter

When Record No. 1978 was taken, I was in the house but away from my desk. I would have voted no.

J. Jones

**GENERAL STATE CALENDAR**  
**SENATE BILLS**  
**THIRD READING**

The following bills were laid before the house and read third time:

**SB 1418 ON THIRD READING****(J. Lopez, Raney, Guillen, Button, et al. - House Sponsors)**

**SB 1418**, A bill to be entitled An Act relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.

**Amendment No. 1**

Representative E. Morales offered the following amendment to **SB 1418**:

Amend **SB 1418** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3797 to read as follows:

**CHAPTER 3797. PRESIDIO INTERNATIONAL PORT AUTHORITY**

**DISTRICT**

**SUBCHAPTER A. GENERAL PROVISIONS**

**Sec. 3797.0101. DEFINITIONS.** In this chapter:

- (1) "Board" means the authority's board of directors.
- (2) "City" means the city of Presidio.
- (3) "County" means Presidio County.
- (4) "Director" means a board member.
- (5) "District" means the Presidio International Port Authority District.
- (6) "School district" means Presidio Independent School District.

**Sec. 3797.0102. NATURE OF DISTRICT.** The Presidio International Port Authority District is a special district created under Section 59, Article XVI, Texas Constitution.

**Sec. 3797.0103. PURPOSE; DECLARATION OF INTENT.** (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter.

(b) By creating the district and in authorizing the county, the city, the school district, and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

(c) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.

(d) The district is created to serve the interests of the residents of the district and the general public by improving the Presidio port of entry and encouraging international trade.

(e) This chapter and the creation of the district may not be interpreted to relieve the county or the city from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant county or city services provided in the district.

Sec. 3797.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(b) The district is created to serve a public use and benefit.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment;

(3) developing or expanding transportation and commerce; and

(4) developing and expanding international trade.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center, including by developing, constructing, owning, operating, and improving industrial parks;

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty;

(4) provide for water, wastewater, drainage, rail, and road facilities for the district; and

(5) provide for international border facilities, industrial parks, air transportation facilities, intermodal facilities, and foreign trade zones in the district.

(e) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 3797.0105. INITIAL DISTRICT TERRITORY. The district is initially composed of the territory in Presidio County.

Sec. 3797.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code; or

(3) a foreign trade zone.

Sec. 3797.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3797.0108. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3797.0201. GOVERNING BODY; TERMS. The district is governed by a board of seven voting directors who serve staggered terms of four years with three or four directors' terms expiring June 1 of each odd-numbered year.

Sec. 3797.0202. QUALIFICATIONS AND APPOINTMENT OF VOTING DIRECTORS. (a) Section 375.063, Local Government Code, does not apply to the district.

(b) To be qualified to serve as a director, a person must be at least 18 years of age.

(c) From persons recommended by the board in the manner provided by Section 375.064, Local Government Code, the governing body of the county shall appoint three directors and the governing body of the city shall appoint two directors. Each of the appointed directors must be:

(1) an owner of property in the district;

(2) an owner of a beneficial interest in a trust, or a trustee in a trust, that directly or indirectly owns property in the district;

(3) an agent, employee, or tenant of a person described by Subdivision (1) or (2); or

(4) a person involved in international trade activities in the district.

(d) In addition to the directors appointed under Subsection (c), notwithstanding the common law doctrine of incompatibility, the mayor of the city and the county judge of the county serve as directors of the district, except as provided by Subsection (e). Notwithstanding Section 3797.0201, the term of a director who is also the mayor of the city or the county judge of the county expires when the member's term as mayor or county judge, as applicable, expires.

(e) The mayor of the city or the county judge of the county may decline to serve as a director. If the mayor of the city declines to serve, the governing body of the city shall appoint an alternate director in the manner provided by Subsection (c). If the county judge of the county declines to serve, the county shall appoint an alternate director in the manner provided by Subsection (c).

(f) A director described by Subsection (d) may not participate in a discussion of or vote on a matter regarding a contract with the political subdivision for which the person serves as an officer.

Sec. 3797.0203. NONVOTING DIRECTORS. The board may appoint representatives of taxing entities in the district to serve as nonvoting directors.

Sec. 3797.0204. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>John Ferguson</u>
<u>2</u>	<u>Tom Davis</u>
<u>3</u>	<u>Scott Beasley</u>
<u>4</u>	<u>Cesar Baeza</u>

5  
6  
7Joe Portillo  
Isela Nunez  
Sergio Mendoza Vidal

(b) Of the initial directors, the terms of directors appointed for positions one through four expire June 1, 2025, and the terms of directors appointed for positions five through seven expire June 1, 2027.

(c) Section 3797.0202 does not apply to initial directors appointed by this section.

(d) This section expires September 1, 2027.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 3797.0301. GENERAL POWERS AND DUTIES. (a) The district has the powers and duties necessary to accomplish the purposes for which the district is created.

(b) Section 375.092(e), Local Government Code, applies to real property located inside or outside the district.

Sec. 3797.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

(b) The district may contract with a governmental or private entity to carry out an action under Subsection (a).

(c) The implementation of a district project or service is a governmental function or service for the purposes of Chapter 791, Government Code.

(d) The county, the school district, the Big Bend Regional Hospital District, and any other local government or political subdivision may contract with the district to provide for financing, construction, maintenance, and operation of public infrastructure or to carry out a district purpose.

(e) The district may not undertake a project on land owned by the city unless the city consents to the project.

Sec. 3797.0303. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Sec. 3797.0304. AUTHORITY TO CONTRACT FOR PUBLIC SAFETY SERVICES. To protect the public interest, the district may contract with a qualified party, including a municipality, the county, or any other governmental entity to provide law enforcement, public safety, fire protection, ambulance, emergency, or code enforcement services in the district for a fee.

Sec. 3797.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 3797.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

- (1) Chapter 380, Local Government Code; and
- (2) Subchapter A, Chapter 1509, Government Code.

Sec. 3797.0307. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Sec. 3797.0308. INTERNATIONAL BORDER FACILITIES. (a) The district may operate and maintain a port of entry in the district.

(b) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain bridge facilities, a system of international border crossing points, or other structures or accommodations facilitating international trade and related appurtenances.

(c) The facilities described by this section serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(d) The district's bridge facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(e) The development and operation of the facilities described by this section may be considered an economic development program.

Sec. 3797.0309. RAIL FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain rail facilities, and related appurtenances, to facilitate international trade.

(b) The district's rail facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The development and operation of the district's rail facilities may be considered an economic development program.

Sec. 3797.0310. TRANSPORTATION FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain facilities related to air transportation and intermodal facilities.

(b) The district's air transportation and intermodal facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The development and operation of the district's air transportation and intermodal facilities may be considered an economic development program.

Sec. 3797.0311. REGIONAL MOBILITY AUTHORITY POWERS. The district may exercise the transportation project powers of a regional mobility authority under Chapter 370, Transportation Code, for a transportation project, as defined by Section 370.003, Transportation Code.

Sec. 3797.0312. FEES. The district may establish and maintain reasonable and nondiscriminatory rates, fares, charges, rents, or other fees or compensation for the use of facilities constructed, operated, or maintained by the district.

Sec. 3797.0313. FOREIGN TRADE ZONE. (a) In this section, "foreign trade zone" has the meaning assigned by Section 681.001, Business & Commerce Code.

(b) The district may apply for, accept a grant of authority to, and establish, operate, and maintain a foreign trade zone, including the selection and description of the foreign trade zone and subzones.

(c) An authorization under this section is subject to the requirements of federal law and regulations established to carry out the provisions of the Foreign Trade Zones Act (19 U.S.C. Section 81a et seq.).

Sec. 3797.0314. ADDING OR EXCLUDING LAND. The district may add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

Sec. 3797.0315. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3797.0316. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to the district.

Sec. 3797.0317. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

#### SUBCHAPTER D. ASSESSMENTS

Sec. 3797.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 3797.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

#### SUBCHAPTER E. TAXES AND BONDS

Sec. 3797.0501. TAX ELECTION REQUIRED. The district must hold an election in the manner provided by Chapter 49, Water Code, or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

Sec. 3797.0502. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election under Section 3797.0501, the district may impose an operation and maintenance tax on taxable property in the district in the manner provided by Section 49.107, Water Code, for any district purpose, including to:

(1) maintain and operate the district;

(2) construct or acquire improvements; or

(3) provide a service.

(b) The board shall determine the operation and maintenance tax rate. The rate may not exceed the rate approved at the election.

Sec. 3797.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS. (a) The district may borrow money on terms determined by the board.

(b) The district may issue bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.

Sec. 3797.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

(1) revenue other than ad valorem taxes, including contract revenues;  
or  
(2) contract payments, provided that the requirements of Section 49.108, Water Code, have been met.

Sec. 3797.0505. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 3797.0501, the district may issue bonds payable from ad valorem taxes.

(b) Section 375.243, Local Government Code, does not apply to the district.

(c) At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

(d) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. 3797.0506. CONSENT OF CITY REQUIRED. (a) The board may not issue bonds until the city has consented by ordinance or resolution to the creation of the district and to the inclusion of municipal territory in the district.

(b) This section applies only to the district's first issuance of bonds payable from ad valorem taxes.

#### SUBCHAPTER F. DEFINED AREAS

Sec. 3797.0601. AUTHORITY TO ESTABLISH DEFINED AREAS OR DESIGNATED PROPERTY. The district may define areas or designate certain property of the district to pay for improvements, facilities, or services that primarily benefit that area or property and do not generally and directly benefit the district as a whole.

Sec. 3797.0602. PROCEDURE FOR ELECTION. (a) Before the district may impose an ad valorem tax applicable only to the defined area or designated property or issue bonds payable from ad valorem taxes of the defined area or designated property, the board shall hold an election in the defined area or designated property only.

(b) The board may submit the proposition to the voters on the same ballot to be used in another election.

Sec. 3797.0603. DECLARING RESULT AND ISSUING ORDER. (a) If a majority of the voters voting at an election held under Section 3797.0602 approve the proposition or propositions, the board shall declare the results and, by order, shall establish the defined area or designated property and describe it by metes and bounds or designate the specific area or property.

(b) A court may not review the board's order except on the ground of fraud, palpable error, or arbitrary and confiscatory abuse of discretion.

Sec. 3797.0604. TAXES FOR SERVICES, IMPROVEMENTS, AND FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter approval and adoption of an order described by Section 3797.0603, the district may apply separately, differently, equitably, and specifically its taxing power and lien authority to the defined area or designated property to provide money to construct, administer, maintain, and operate services, improvements, and facilities that primarily benefit the defined area or designated property.

Sec. 3797.0605. ISSUANCE OF BONDS FOR DEFINED AREA OR DESIGNATED PROPERTY. After an order under Section 3797.0603 is adopted, the district may issue bonds to provide for any land, improvements, facilities, plants, equipment, and appliances for the defined area or designated property.

#### SUBCHAPTER I. DISSOLUTION

Sec. 3797.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of:

(1) 66 percent or more of the assessed value of the property subject to assessment by the district based on the most recent certified county property tax rolls; or

(2) 66 percent or more of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

(b) The board by majority vote may dissolve the district at any time.

(c) The district may not be dissolved by its board under Subsection (a) or (b) if the district:

(1) has any outstanding bonded indebtedness until that bonded indebtedness has been repaid or defeased in accordance with the order or resolution authorizing the issuance of the bonds;

(2) has a contractual obligation to pay money until that obligation has been fully paid in accordance with the contract; or

(3) owns, operates, or maintains public works, facilities, or improvements unless the district contracts with another person for the ownership, operation, or maintenance of the public works, facilities, or improvements.

(d) Sections 375.261, 375.262, and 375.264, Local Government Code, do not apply to the district.

SECTION \_\_\_\_. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

Amendment No. 1 was adopted.

**SB 1418**, as amended, was passed by (Record 1979): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Davis; Jones, J.; Lozano; Morales Shaw.

### STATEMENTS OF VOTE

When Record No. 1979 was taken, I was in the house but away from my desk. I would have voted yes.

J. Jones

When Record No. 1979 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

When Record No. 1979 was taken, my vote failed to register. I would have voted yes.

Morales Shaw

**REMARKS ORDERED PRINTED**

Representative Reynolds moved to print all remarks on **SB 18**.

The motion prevailed. [The text of the debate was unavailable at the time of printing.]

**SB 1070 ON THIRD READING**

**(Jetton, Leo-Wilson, Allison, Murr, et al. - House Sponsors)**

**SB 1070**, A bill to be entitled An Act relating to the interstate voter registration crosscheck program.

(Speaker in the chair)

**SB 1070** was passed by (Record 1980): 85 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Jones, J.

**STATEMENTS OF VOTE**

When Record No. 1980 was taken, I was in the house but away from my desk. I would have voted no.

J. Jones

When Record No. 1980 was taken, I was shown voting yes. I intended to vote no.

T. King

**SB 1750 ON THIRD READING****(Cain, Schofield, DeAyala, Swanson, and Harless - House Sponsors)**

**SB 1750**, A bill to be entitled An Act relating to abolishing the county elections administrator position in certain counties.

**Amendment No. 1**

Representative Reynolds offered the following amendment to **SB 1750**:

Amend **SB 1750** on third reading in the SECTION of the bill adding Section 31.050, Election Code, by striking "a transfer of duties and functions occurs under Section 12.031 and 31.071" and substituting "the county commissioners court by written order transfers those duties and functions".

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 1981): 63 Yeas, 84 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hayes; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

**STATEMENT OF VOTE**

When Record No. 1981 was taken, I was shown voting yes. I intended to vote no.

Hayes

**Amendment No. 2**

Representative Reynolds offered the following amendment to **SB 1750**:

Amend **SB 1750** in SECTION 5 of the bill by striking "September 1" and "substituting "December 31".

**AMENDMENT NO. 2 - REMARKS**

REPRESENTATIVE MARTINEZ FISCHER: As I understand, this is a proposal that just impacts Harris County. Is that correct?

REPRESENTATIVE REYNOLDS: It's only Harris County and Harris County alone.

MARTINEZ FISCHER: And as I understand it, this is an amendment to get an additional concession that the local county commissioners, the local government authorities—this is something they think they need?

REYNOLDS: Yes.

MARTINEZ FISCHER: In the greater context, we have these proposals that are going to create new laws. This proposal combined with another proposal makes it difficult for Harris County to do anything without being subject to some kind of oversight. Is that why you are saying, "Well, we better get what we need now because we might not be able to do it when we go home?"

REYNOLDS: Absolutely.

MARTINEZ FISCHER: Tell me about that. What is the conversation? Why does the county feel like they need extra implementation time? Is there something going on this fall?

REYNOLDS: Well, absolutely. Within the City of Houston, they have an election that will take place in November. A municipal election—one of the biggest elections in the city. It's a new mayor and they have city council races. There is going to be a large anticipated turnout. They are going to have to conduct these elections within Harris County—the only county that this bill would impact.

MARTINEZ FISCHER: I can't remember, but is it also November that we'll be doing the constitutional amendment elections as well?

REYNOLDS: That's in addition to that. That is correct.

MARTINEZ FISCHER: Some of the constitutional amendments we are anticipating are massive property tax cuts and I think there is a constitutional amendment for establishing a permanent fund for the non-UT, non-A&M schools. In other words, maybe University of Houston has access to a fund of money. There are a lot of important proposals and they will be voting in the same election?

REYNOLDS: That is correct.

MARTINEZ FISCHER: Then I guess the concern is if we don't have implementation time, then we could have problems administering this election.

REYNOLDS: That is precisely correct. If we implement these changes, this is going to potentially impact their ability to get everything ready in time for the election. That is why we are simply asking for a delay in the implementation so that it does not impact—have an adverse impact—among those potential voters. I already called out military voters, seniors, and students. This could have catastrophic consequences. It could end up as an effective form of voter suppression.

MARTINEZ FISCHER: Just so I'm following the logic, I think whether we agree or not—I don't happen to agree on this policy, I think it's bad policy—we are here because there are allegations that mistakes were made. Whether they are true or not, that's the purpose of this bill. There have been some elections mistakes made, therefore we are going to take this authority away from this elections administrator. Now, we have the local government officials who will be charged with administering the next election saying, "We need more time. If we don't get more time, mistakes might be made." Shouldn't we be listening and giving deference or heeding those warnings from local officials?

REYNOLDS: Absolutely. Unequivocally. You are absolutely right. We want to make sure that they have sufficient time, so that they are able to implement what this bill does and ensure that no one is left out. Everyone has the ability to get this information out. We are simply saying, "Let's delay it a little bit." That's all it does.

MARTINEZ FISCHER: We are talking about delaying it from when to when?

REYNOLDS: This amendment would delay it until after this November's election, that's it.

MARTINEZ FISCHER: So it would still happen this year, potentially?

REYNOLDS: Yes, it would still happen this year.

MARTINEZ FISCHER: You're not trying to push it off past the presidential primaries or the general election?

REYNOLDS: No. This is a reasonable, short-term pause so that we can get it right in Harris County.

MARTINEZ FISCHER: What's the effect? Sixty days is what we are talking about?

REYNOLDS: That's all we are talking about. That's a very short period of time to ensure that we do it right. Why would we want to rush, and then possibly negatively impact citizens? The most fundamental right we have in this democracy that we have in America is the precious fundamental right to vote. Far too many people died for that right. We are the bastion of hope around this globe because we protect and value our democracy. Voting is the most precious fundamental right that have. Why would we want to jeopardize anyone's right to vote?

MARTINEZ FISCHER: Seems like a reasonable amendment. What is the feedback from the author? Is this something that the author is willing to take?

REYNOLDS: No, unfortunately not. I believe the author is going to oppose the amendment and I urge members to reject that and vote for the amendment.

MARTINEZ FISCHER: It would seem to me that if this amendment wasn't acceptable, or should you not prevail—I mean it's third reading, high bar—maybe there should be other guardrails which is the magic word of this session, to maybe hold harmless local government officials for this next election. Because there is always going to be this implementation phase. Even for the general laws that we pass here, there is an implementation phase. It almost seems like this is consistent. You're not asking for anything that's inconsistent with what we do in other areas of the law, right?

REYNOLDS: Not at all. I don't think this is a stretch. This is a modest request. I think to err on the side of caution—a short-term delay to make sure that they have a chance to implement the new changes, and not impact the current election that's coming up in November. This is a short pause. They can still pass the bill that would not impact the next primary and general election. I think what you just said is absolutely correct.

MARTINEZ FISCHER: I guess the concern that I heard in the debate is if this becomes law, Harris County will have an election and those duties and responsibilities will be in two different departments. Do you know what that looks like? Has there even been a discussion on the division of labor, or where the employees go, or—I understand there are allegations about not having the right amount of paper at certain polling stations. I mean, do we even have those logistics figured out?

REYNOLDS: You know, Chairman Martinez Fischer, I've had conversations with some of those folks in Harris County. I believe that this bill is going to cause a lot of uncertainty. They're going to have to adapt and get up to speed and do their due diligence, but in the meantime they need time to make those necessary changes. They need time to restaff and retool those departments. This is an amendment that would allow them that ample time. If we want to make sure that are voting is efficient and the intent of this bill is really to address a problem, then let's pause a short-term—like we said, about 60 days and give them the time to get everything together. Let them get past this November election. And then they would have sufficient time to work this bill out.

MARTINEZ FISCHER: I was looking forward to finishing our conversation. We were gaveled out earlier. I believe perhaps we should put this exchange in the journal because what I'm worried about is—I'm worried about a challenge, I'm worried about a lawsuit, I'm worried about another association of blame. I think it's important that the record reflect that the folks that are being left with this responsibility are saying, "We can't do it right now without more time." That's what your amendment is trying to do, right?

REYNOLDS: It's a simple amendment—changing the effective date from September 1 to December 31. That's it.

MARTINEZ FISCHER: I think you need a record and an affirmative defense to say—because you know somebody is going to complain. I mean, if you just follow elections in Harris County alone, it's unlike any other county in the state. Even private citizens want to take the law into their own hands and go follow trucks and go chase ballots that don't exist. I don't want someone to say we passed a law to take this authority away and we gave it to the Harris County government and they messed it up again. To be clear, how big is Harris County?

REYNOLDS: Harris County is larger than many states in the United States of America—nearly five million citizens. Harris County is huge. I want people across the breadth of this state to realize that this county is so large that there are going to be some potential challenges, and if you live in a rural county then you may not be able to conceptualize the magnitude of the internal changes that are going to have to happen for this bill to take effect within Harris County—going from the elections administrator to the county clerk or the tax-assessor collector. So you're talking about millions of citizens, hundreds of thousands of changes, and thousands of employees. This bill is going to have a very consequential, significant impact on the county, so they need additional time to do it right. Why should they have to rush in haste and make mistakes that this bill is trying to fix. This bill is going to compound the problems for the current election cycle. If this was a very small county—a county that had a few thousand people, maybe a few people in the elections office—I would not be filing this amendment. But this amendment simply gives a county of the size of Harris County additional time to get everything right and to do their due diligence—all the bells and whistles so that no voter is disenfranchised.

MARTINEZ FISCHER: I understand the amendment is for more time to implement, but I also understand in the larger legislation the person or persons charged with administering the elections, they're no longer going to be around, right?

REYNOLDS: Correct. They're not going to be there.

MARTINEZ FISCHER: The legislation is ultimately to get rid of them. But I imagine if you know you're about to lose your job you're not going to wait around. You may already be making plans to leave.

REYNOLDS: Correct.

MARTINEZ FISCHER: And who's going to assume the expertise? Who's going to assume the duties of the transition? Are we talking about somebody just leaving a set of keys on the table and saying, "It's your problem now, not mine?"

REYNOLDS: Well essentially, Chairman Martinez Fischer, that's what could happen because if you know that you're on your way out, you're probably trying to find your next job. You're not interested in sticking around and trying to solve some additional problems and trying to help the next people. You're trying to find a way to feed your family and take care of yourself. So I would think that the person, as they listen to this bill, they're probably already shopping their resume

on Monster and everywhere else. They're trying to find headhunters to get their next gig. You're right, Harris County is going to have to essentially find another person to be able to do those duties and functions.

MARTINEZ FISCHER: Is it fair—in the request for additional time, I think there was some discussion about, "Well, we need computer networking, moving equipment, and moving personnel." You might even have to be finding that expertise. I imagine in Harris County there might not be anybody in the county clerk's office now that's just been waiting for three years to one day take over elections. Are they going to be looking for personnel?

REYNOLDS: Absolutely. It's not a far stretch to think that they're going to have to go out and find people to fulfill that role when the current tax assessor and county clerk were not expecting or anticipating having these duties to implement the elections process. I think you're right. They're going to need additional time to find someone that has that expertise. They're going to then have to let that person get accustomed to all of the different nuances within the department—personnel, staffing up, and the IT changes that we just talked about for effective implementation. Those things take time. This amendment builds guardrails to give them that time so that we pause shortly. Again, September 1 to December 31 so it doesn't impact the current elections cycle.

MARTINEZ FISCHER: If this amendment doesn't get on, is there any hold-harmless provision in there that will protect somebody from being unfairly criticized or culpable for not pulling off an election? I guess what I'm asking is if giving Harris County more time is really an outcry to say that we can't guarantee that the election is going to be the way it should be, and you don't give me that time, is there anything else in the bill that's going to protect the county from the blame game that will likely come?

REYNOLDS: Chairman Martinez Fischer, I looked at the bill and I didn't see any of those protections. In fact, if the bill had that it would be less harmful, but there is no hold-harmless provision in there. There will be additional finger pointing that I anticipate will happen after the implementation of this bill. But instead of an elections administrator, that criticism will be targeted at county clerk and that criticism will be targeted at the tax assessor collector.

MARTINEZ FISCHER: Maybe that makes sense for an additional amendment were this amendment to fail. Maybe you consider an amendment to hold-harmless for a transition period. It won't stop the elections from going forward under this new structure, but it certainly will put the guardrail in place to say we saw this coming. Plan A was to get an extension of time, which is what your amendment does. Plan B would be, "Okay, if we're going to do it your way, don't blame us if you don't like the outcome."

REYNOLDS: Absolutely, Chairman Martinez Fischer. I think that would be only fair and equitable considering what this bill's implementation will likely do. Absolutely.

MARTINEZ FISCHER: And is there any motive? Sometimes maybe not accepting the amendment might be, "Well, we just want to concur," or, "If we take another amendment, we have to vet it." What's the rationale for getting what's essentially a 90-day extension?

REYNOLDS: I pondered that, and I can't come up with anything that would be logical or that would make good sense that would be in the best interest of the citizens of Harris County or the elected officials that would have to be responsible for these changes.

A record vote was requested.

Amendment No. 2 failed of adoption by (Record 1982): 59 Yeas, 84 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Cole; Davis; Dorazio; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Isaac; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, J.; Martinez; Meza; Moody; Morales, C.; Muñoz; Neave Criado; Orr; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Schatzline; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, R.; Lozano; Lujan; Martinez Fischer; Metcalf; Meyer; Morales, E.; Morrison; Murr; Noble; Oliverson; Ordaz; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C); Morales Shaw.

Absent, Excused — Herrero.

Absent — Collier; González, J.; Manuel.

### STATEMENTS OF VOTE

When Record No. 1982 was taken, I was shown voting yes. I intended to vote no.

Allison

When Record No. 1982 was taken, I was shown voting yes. I intended to vote no.

Dorazio

When Record No. 1982 was taken, I was shown voting yes. I intended to vote no.

Isaac

When Record No. 1982 was taken, I was shown voting yes. I intended to vote no.

J. Lopez

When Record No. 1982 was taken, I was shown voting no. I intended to vote yes.

Martinez Fischer

When Record No. 1982 was taken, I was shown voting no. I intended to vote yes.

E. Morales

When Record No. 1982 was taken, I was shown voting present, not voting. I intended to vote yes.

Morales Shaw

When Record No. 1982 was taken, I was shown voting no. I intended to vote yes.

Ordaz

When Record No. 1982 was taken, I was shown voting yes. I intended to vote no.

Orr

### **REMARKS ORDERED PRINTED**

Representative Martinez Fischer moved to print remarks between Representative Reynolds and Representative Martinez Fischer on Amendment No. 2 on **SB 1750**.

The motion prevailed.

(C.J. Harris in the chair)

### **MESSAGE FROM THE SENATE**

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

### **SB 1750 - (consideration continued)**

**SB 1750** was passed by (Record 1983): 81 Yeas, 62 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.(C); Harrison; Hayes; Hefner; Holland; Hunter; Isaac; Kacal; King, K.; Kitzman;

Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Schaefer; Schatzline; Schofield; Shaheen; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Slawson.

Absent, Excused — Herrero.

Absent — Hull; Jetton; Rogers.

### **STATEMENTS OF VOTE**

When Record No. 1983 was taken, I was shown voting no. I intended to vote yes.

Cortez

When Record No. 1983 was taken, I was in the house but away from my desk. I would have voted yes.

Hull

When Record No. 1983 was taken, I was in the house but away from my desk. I would have voted yes.

Jetton

When Record No. 1983 was taken, my vote failed to register. I would have voted yes.

Rogers

When Record No. 1983 was taken, I was shown voting present, not voting. I intended to vote yes.

Slawson

### **COMMITTEE MEETING ANNOUNCEMENT**

At 2:45 p.m., the following committee meeting was announced:

General Investigating, 3 p.m. today, E2.010, for a formal meeting, to consider pending, referred, and committee business.

### LEAVES OF ABSENCE GRANTED

Pursuant to a previous motion, the following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on General Investigating:

Murr on motion of Metcalf.

A. Johnson on motion of Metcalf.

Geren on motion of Metcalf.

Longoria on motion of Metcalf.

Spiller on motion of Metcalf.

### SB 1933 ON THIRD READING (Oliverson - House Sponsor)

**SB 1933**, A bill to be entitled An Act relating to certain oversight procedures of the state over county elections.

#### Amendment No. 1

Representative Ramos offered the following amendment to **SB 1933**:

Amend **SB 1933** on third reading, immediately after added Section 31.079(c), Election Code, by inserting the following appropriately lettered subsection:

( ) The report described by Subsection (c) must include the individual's name, phone number, address, driver's license number, history of filing complaints under Section 31.017(a)(1), and the name of the county in which the individual is registered to vote.

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 1984): 56 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Bumgarner; Campos; Canales; Cole; Collier; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Manuel; Martinez; Meza; Moody; Morales, C.; Morales Shaw; Muñoz; Neave Criado; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morales, E.; Morrison; Noble; Oliverson; Ordaz; Orr; Patterson; Paul;

Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Lopez, R.; Martinez Fischer; Walle.

### STATEMENTS OF VOTE

When Record No. 1984 was taken, I was shown voting no. I intended to vote yes.

Cortez

When Record No. 1984 was taken, I was shown voting no. I intended to vote yes.

E. Morales

When Record No. 1984 was taken, I was shown voting no. I intended to vote yes.

Ordaz

**SB 1933** was passed by (Record 1985): 81 Yeas, 59 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.(C); Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker.

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Bryant; Morales Shaw.

### STATEMENTS OF VOTE

When Record No. 1985 was taken, I was in the house but away from my desk. I would have voted no.

Bryant

When Record No. 1985 was taken, my vote failed to register. I would have voted no.

Morales Shaw

### SB 186 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Frank moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Lalani as a house sponsor to **SB 186**.

The motion prevailed.

### SB 186 ON THIRD READING (Rose - House Sponsor)

**SB 186**, A bill to be entitled An Act relating to the prohibited discharge of a patient to certain unlicensed or unpermitted group-centered facilities.

**SB 186** failed to pass by (Record 1986): 61 Yeas, 74 Nays, 2 Present, not voting. (The vote was reconsidered on May 24, and **SB 186** was passed by Record No. 2040.)

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Burrows; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Button; Cain; Clardy; Cunningham; Darby; Dean; DeAyala; Dorazio; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Capriglione; Cook; Craddick; Frank; Hunter; Morales, C.

### STATEMENTS OF VOTE

When Record No. 1986 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

When Record No. 1986 was taken, I was shown voting no. I intended to vote yes.

Leo-Wilson

When Record No. 1986 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 1986 was taken, I was in the house but away from my desk. I would have voted yes.

C. Morales

### SB 189 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Frank moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Lalani as a house sponsor to **SB 189**.

The motion prevailed.

### SB 189 ON THIRD READING (Rose and Reynolds - House Sponsors)

**SB 189**, A bill to be entitled An Act relating to the creation of a criminal offense concerning the failure of certain persons to report abuse, neglect, or exploitation in boarding home facilities.

Representative Rose moved to postpone consideration of **SB 189** until 7 p.m. today.

The motion prevailed.

### SB 643 ON THIRD READING (S. Thompson, et al. - House Sponsors)

**SB 643**, A bill to be entitled An Act relating to the conduct of charitable bingo.

**SB 643** was passed by (Record 1987): 96 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cook; Cortez; Craddick; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frazier; Gámez; García; Gerdes; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harless; Harrison; Hernandez; Hinojosa; Howard; Hunter; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rosenthal; Sherman; Shine; Smithee; Talarico; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Ashby; Bell, C.; Bumgarner; Cain; Capriglione; Cunningham; Dorazio; Frank; Gates; Harris, C.E.; Hayes; Hefner; Holland; Hull; Isaac; Jetton; Kitzman; Klick; Landgraf; Leach; Leo-Wilson; Metcalf; Noble; Oliverson; Patterson; Paul; Rogers; Schaefer; Schatzline; Shaheen; Slawson; Smith; Stucky; Swanson; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — González, M.; Rose; Schofield; Tepper.

### STATEMENTS OF VOTE

When Record No. 1987 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 1987 was taken, I was shown voting yes. I intended to vote no.

K. Bell

### SB 2260 ON THIRD READING (Rose - House Sponsor)

**SB 2260**, A bill to be entitled An Act relating to management review of certain investigations conducted by the Department of Family and Protective Services.

**SB 2260** was passed by (Record 1988): 102 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Darby; Dean; Dorazio; Dutton; Flores; Frank; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra;

Guillen; Harless; Hernandez; Hinojosa; Howard; Hull; Hunter; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Landgraf; Leach; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Noble; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Rose; Rosenthal; Sherman; Smithee; Stucky; Talarico; Tepper; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Wiener.

Nays — Bell, C.; Bumgarner; Cain; Cunningham; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Isaac; Kitman; Klick; Leo-Wilson; Metcalf; Oliverson; Patterson; Paul; Schaefer; Schofield; Shaheen; Slawson; Smith; Timesch; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Clardy; Davis; DeAyala; Frazier; Jetton; Neave Criado; Romero; Schatzline; Shine; Swanson.

### **STATEMENTS OF VOTE**

When Record No. 1988 was taken, I was in the house but away from my desk. I would have voted yes.

DeAyala

When Record No. 1988 was taken, I was shown voting yes. I intended to vote no.

Dorazio

When Record No. 1988 was taken, I was shown voting yes. I intended to vote no.

Leach

When Record No. 1988 was taken, I was in the house but away from my desk. I would have voted yes.

Neave Criado

When Record No. 1988 was taken, I was in the house but away from my desk. I would have voted yes.

Romero

### **SB 187 ON THIRD READING (Reynolds and Rose - House Sponsors)**

**SB 187**, A bill to be entitled An Act relating to failure to report assault, neglect, or omission of care in certain group homes; creating a criminal offense.

**SB 187** failed to pass by (Record 1989): 59 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bryant; Bucy; Burrows; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; Goodwin; Guerra; Hernandez; Howard; Hunter; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Bowers; González, M.; Hinojosa; Thompson, S.

### STATEMENTS OF VOTE

When Record No. 1989 was taken, I was shown voting no. I intended to vote yes.

Leo-Wilson

When Record No. 1989 was taken, I was shown voting no. I intended to vote yes.

Meyer

When Record No. 1989 was taken, I was in the house but away from my desk. I would have voted yes.

S. Thompson

### SB 402 ON THIRD READING (Harless - House Sponsor)

**SB 402**, A bill to be entitled An Act relating to the preference given by trial courts to hearings and trials for murder and capital murder offenses.

**SB 402** was passed by (Record 1990): 135 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Wiener.

Nays — Cain; Metcalf; Patterson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Davis; Gámez; Rose.

### STATEMENT OF VOTE

When Record No. 1990 was taken, I was shown voting no. I intended to vote yes.

Metcalf

### SB 386 ON THIRD READING (Harless and Cook - House Sponsors)

**SB 386**, A bill to be entitled An Act relating to the prosecution of a capital murder committed against a peace officer or fireman.

**SB 386** was passed by (Record 1991): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf;

Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Cole.

### **SB 386 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED**

Representative Moody moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representatives Neave Criado, K. Bell, and Moody as house sponsors to **SB 386**.

The motion prevailed.

### **SB 338 ON THIRD READING (Leach - House Sponsor)**

**SB 338**, A bill to be entitled An Act relating to the use of hypnotically induced statements in a criminal trial.

**SB 338** was passed by (Record 1992): 128 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Cain; Cunningham; Gerdes; Harrison; Price; Schofield; Slawson; Swanson; Toth; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Klick; Patterson; Shaheen.

### STATEMENT OF VOTE

When Record No. 1992 was taken, I was shown voting yes. I intended to vote no.

Smithee

### SB 785 ON THIRD READING

**(Darby, Guerra, E. Morales, and Anchía - House Sponsors)**

**SB 785**, A bill to be entitled An Act relating to the ownership of and certain insurance policy provisions regarding the geothermal energy and associated resources below the surface of land.

**SB 785** was passed by (Record 1993): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Klick.

**SB 694 ON THIRD READING**  
**(Leach - House Sponsor)**

**SB 694**, A bill to be entitled An Act relating to liability of a religious organization or an employee or volunteer of a religious organization for security services provided to the organization.

**SB 694** was passed by (Record 1994): 86 Yeas, 53 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bhojani; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Campos; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Gates; Gerdes; Goldman; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Muñoz; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Stucky; Swanson; Tepper; Thierry; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Anchía; Bernal; Bowers; Bryant; Bucy; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Hernandez; Hinojosa; Howard; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Smithee; Talarico; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Frazier; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Klick.

**STATEMENTS OF VOTE**

When Record No. 1994 was taken, I was shown voting yes. I intended to vote no.

Campos

When Record No. 1994 was taken, I was shown voting present, not voting. I intended to vote yes.

Frazier

When Record No. 1994 was taken, I was shown voting yes. I intended to vote no.

Thierry

**SB 477 ON THIRD READING**  
**(Bucy, J. González, et al. - House Sponsors)**

**SB 477**, A bill to be entitled An Act relating to accommodating voters with a disability.

**SB 477** was passed by (Record 1995): 109 Yeas, 25 Nays, 4 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Davis; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Leach; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Patterson; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Shaheen; Sherman; Shine; Smith; Stucky; Talarico; Tepper; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Cain; Darby; Dean; Harris, C.E.; Harrison; Hayes; Isaac; Leo-Wilson; Metcalf; Morales, C.; Noble; Oliverson; Paul; Schaefer; Schatzline; Slawson; Smithee; Swanson; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut.

Present, not voting — Mr. Speaker; Bumgarner; Harris, C.J.(C); Lopez, J.

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Bonnen; Dorazio; Goldman; Klick; Wilson.

**STATEMENTS OF VOTE**

When Record No. 1995 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 1995 was taken, I was shown voting no. I intended to vote yes.

Leo-Wilson

When Record No. 1995 was taken, I was shown voting no. I intended to vote yes.

C. Morales

When Record No. 1995 was taken, I was in the house but away from my desk. I would have voted no.

Wilson

**SB 987 ON THIRD READING**  
**(Gerdes - House Sponsor)**

**SB 987**, A bill to be entitled An Act relating to the reporting of certain information regarding the payment of state money to certain vendors and counties.

**SB 987** was passed by (Record 1996): 138 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Klick; Vasut; Wilson.

**STATEMENTS OF VOTE**

When Record No. 1996 was taken, my vote failed to register. I would have voted yes.

Vasut

When Record No. 1996 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

**SB 991 ON THIRD READING**  
**(Leach - House Sponsor)**

**SB 991**, A bill to be entitled An Act relating to the establishment of a crime laboratory portal by the Department of Public Safety of the State of Texas and to disciplinary proceedings applicable to a crime laboratory or license holder investigated by the Texas Forensic Science Commission.

**SB 991** was passed by (Record 1997): 133 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Cain; Schofield; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Bumgarner; Orr; Thimesch.

**STATEMENT OF VOTE**

When Record No. 1997 was taken, I was shown voting yes. I intended to vote no.

Schaefer

**SB 1015 ON THIRD READING**  
**(Spiller - House Sponsor)**

**SB 1015**, A bill to be entitled An Act relating to periodic rate adjustments by electric utilities.

**SB 1015** was passed by (Record 1998): 135 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smithee; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Bumgarner; González, J.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Plesa; Rogers; Smith; Thierry.

### STATEMENTS OF VOTE

When Record No. 1998 was taken, I was shown voting no. I intended to vote yes.

Bumgarner

When Record No. 1998 was taken, I was shown voting no. I intended to vote yes.

J. González

When Record No. 1998 was taken, I was in the house but away from my desk. I would have voted yes.

Plesa

When Record No. 1998 was taken, I was shown voting yes. I intended to vote no.

Ramos

**SB 1402 ON THIRD READING****(Howard, Guillen, Neave Criado, Garcia, Harless, et al. - House Sponsors)**

**SB 1402**, A bill to be entitled An Act relating to the composition, continuation, and duties of the Sexual Assault Survivors' Task Force, compensation for task force members and certain other task force participants, and establishment of a mandatory training program for peace officers on responding to reports of child sexual abuse and adult sexual assault.

**SB 1402** was passed by (Record 1999): 92 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bernal; Bhojani; Bonnen; Bowers; Bryant; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Davis; Dutton; Flores; Frazier; Gámez; Garcia; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Howard; Hunter; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Lalani; Lambert; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rosenthal; Schatzline; Schofield; Sherman; Shine; Stucky; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Wu; Zwiener.

Nays — Bailes; Bell, C.; Bell, K.; Buckley; Bumgarner; Burns; Cain; Capriglione; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Gates; Harris, C.E.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Kitzman; Kuempel; Landgraf; Leach; Leo-Wilson; Metcalf; Noble; Patterson; Paul; Rogers; Schaefer; Shaheen; Slawson; Smith; Smithee; Swanson; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Rose; Walle.

**STATEMENTS OF VOTE**

When Record No. 1999 was taken, I was shown voting no. I intended to vote yes.

Holland

When Record No. 1999 was taken, I was shown voting yes. I intended to vote no.

E. Thompson

**SB 2220 ON THIRD READING**  
**(Gervin-Hawkins - House Sponsor)**

**SB 2220**, A bill to be entitled An Act relating to the authority of certain municipalities and local government corporations to use certain tax revenue for certain qualified projects.

**SB 2220** was passed by (Record 2000): 98 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bernal; Bhojani; Bowers; Bryant; Buckley; Bucy; Bumgarner; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Darby; Davis; Dean; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hefner; Hernandez; Hinojosa; Howard; Hunter; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bell, C.; Bell, K.; Bonnen; Burns; Burrows; Cain; Craddick; Cunningham; DeAyala; Goldman; Harris, C.E.; Harrison; Hayes; Holland; Hull; Isaac; Jetton; Klick; Landgraf; Leach; Leo-Wilson; Metcalf; Noble; Oliverson; Patterson; Paul; Rogers; Schaefer; Schatzline; Shaheen; Slawson; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Harless; Raney.

**STATEMENTS OF VOTE**

When Record No. 2000 was taken, I was shown voting no. I intended to vote yes.

Anderson

When Record No. 2000 was taken, I was shown voting yes. I intended to vote no.

Hefner

**SB 2474 ON THIRD READING**  
**(Jetton - House Sponsor)**

**SB 2474**, A bill to be entitled An Act relating to civil and administrative penalties assessed for violations of statutes or rules governing chemical dependency treatment facilities.

(Speaker in the chair)

**SB 2474** was passed by (Record 2001): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Bryant; Harris, C.J.

**STATEMENT OF VOTE**

When Record No. 2001 was taken, I was in the house but away from my desk. I would have voted yes.

C.J. Harris

**SB 2315 ON THIRD READING**  
**(Clardy - House Sponsor)**

**SB 2315**, A bill to be entitled An Act relating to the creation of a task force to develop a plan for the consolidation of the functions of workforce development programs administered by the Texas Workforce Commission and social services programs administered by the Health and Human Services Commission.

**SB 2315 - POINT OF ORDER**

Representative Zwiener raised a point of order against further consideration of **SB 2315** under Rule 8, Section 1(a)(1), of the House Rules.

(Patterson in the chair)

The speaker overruled the point of order, announcing his decision to the house as follows:

Ms. Zwiener raises a point of order against further consideration of **SB 2315** under Rule 8, Section 1(a)(1), on the grounds that the caption of the bill fails to give reasonable notice of the subject of the bill.

Ms. Zwiener argues that the bill's requirement that the proposed task force identify any changes to Federal law needed to implement any plan it recommends to the legislature is not reflected in the caption and that it should be included because the provision implicitly authorizes lobbying of the Congress for any recommended changes.

A caption need not detail all elements of the bill. See 78 H. Jour. 1676 (2003). Here, the identification of changes is a subset of the required elements for a recommended plan. The plan is referenced by the caption. Therefore, the caption complies with the rule.

Accordingly, the point of order is respectfully overruled.

**Amendment No. 1**

Representative Button offered the following amendment to **SB 2315**:

Amend **SB 2315** on third reading, in SECTION 2 of the bill, in added Section 319.003(b), Labor Code, as amended by Floor Amendment No. 1 by Button on second reading, by striking the following subdivision and renumbering the subdivisions of the subsection accordingly:

(\_\_\_\_) determine whether recipients of program services are attaining employment paying a self-sufficient wage, as determined under Section 2308A.012, Government Code;

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Raney offered the following amendment to **SB 2315**:

Amend **SB 2315** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 303.003, Labor Code, is amended by amending Subsection (h) and adding Subsection (h-1) to read as follows:

(h) A community-based organization may apply for money to participate in a training program if:

(1) the organization applies [only] in partnership with a community and technical college or the Texas A&M Engineering Extension Service; or

(2) at least 90 days before the date the organization applies, the organization submitted to a community and technical college or the Texas A&M Engineering Extension Service a written request for a partnership with the college or service and has been unable to obtain the partnership.

(h-1) If a [A] community-based organization that applies for funding under Subsection (h) provides [providing] services regulated by the state, the organization shall provide to the commission evidence of any certification, license, or registration required by law.

SECTION \_\_\_\_\_. Section 303.003, Labor Code, as amended by this Act, applies only to an application for money from the skills development fund submitted to the Texas Workforce Commission on or after the effective date of this Act. An application submitted before the effective date of this Act is governed by the law in effect on the date the application was submitted, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

**SB 2315**, as amended, was passed by (Record 2002): 94 Yeas, 43 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gates; Gerdes; Gervin-Hawkins; Goldman; González, M.; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, J.E.; Kacal; King, K.; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Moody; Morales, E.; Morrison; Muñoz; Noble; Oliverson; Ordaz; Orr; Paul; Price; Raney; Raymond; Reynolds; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bowers; Bryant; Bucy; Campos; Cole; Collier; Flores; Gámez; García; González, J.; Goodwin; Hernandez; Hinojosa; Jones, J.; Jones, V.; King, T.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Morales, C.; Morales Shaw; Neave Criado; Ortega; Perez; Plesa; Ramos; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Wallé; Wu; Zwiener.

Present, not voting — Mr. Speaker; Patterson(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Bernal; Bhojani; Johnson, J.D.; Kitman.

**STATEMENTS OF VOTE**

When Record No. 2002 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 2002 was taken, I was shown voting yes. I intended to vote no.

Cortez

When Record No. 2002 was taken, I was shown voting yes. I intended to vote no.

Davis

When Record No. 2002 was taken, my vote failed to register. I would have voted yes.

Kitzman

When Record No. 2002 was taken, I was shown voting yes. I intended to vote no.

E. Morales

When Record No. 2002 was taken, I was shown voting yes. I intended to vote no.

Ordaz

When Record No. 2002 was taken, I was shown voting yes. I intended to vote no.

Reynolds

**SB 2325 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Ashby moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative J. González as a house sponsor to **SB 2325**.

The motion prevailed.

**SB 2325 ON THIRD READING  
(Flores - House Sponsor)**

**SB 2325**, A bill to be entitled An Act relating to the eligibility of certain events for funding under the Major Events Reimbursement Program.

**SB 2325** was passed by (Record 2003): 102 Yeas, 38 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Darby; Davis; Dorazio; Dutton; Flores; Frazier; Gámez; Garcia; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, J.D.; Johnson,

J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Lalani; Lambert; Leach; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Sherman; Smith; Smithee; Stucky; Talarico; Thierry; Thimesch; Thompson, E.; Thompson, S.; Turner; Vo; Walle; Wu; Wiener.

Nays — Bell, C.; Bumgarner; Cain; Craddick; Cunningham; Dean; DeAyala; Frank; Gates; Gerdes; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Isaac; Kitzman; Klick; Kuempel; Landgraf; Leo-Wilson; Metcalf; Noble; Oliverson; Schaefer; Schofield; Shaheen; Shine; Slawson; Swanson; Tepper; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Patterson(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Johnson, A.; Longoria; Murr; Spiller.

Absent — Schatzline.

#### STATEMENTS OF VOTE

When Record No. 2003 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 2003 was taken, I was shown voting yes. I intended to vote no.

K. Bell

When Record No. 2003 was taken, I was shown voting yes. I intended to vote no.

Frazier

When Record No. 2003 was taken, I was shown voting yes. I intended to vote no.

Jetton

When Record No. 2003 was taken, I was in the house but away from my desk. I would have voted no.

Schatzline

#### SB 924 ON THIRD READING (Hayes - House Sponsor)

**SB 924**, A bill to be entitled An Act relating to the combination of certain election precincts.

(A. Johnson now present)

**SB 924** was passed by (Record 2004): 87 Yeas, 55 Nays, 2 Present, not voting.

Yeas — Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cole; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Noble; Oliverson; Orr; Ortega; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Wilson; Wu.

Nays — Allen; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Vo; Walle; Zwiener.

Present, not voting — Mr. Speaker; Patterson(C).

Absent, Excused — Herrero.

Absent, Excused, Committee Meeting — Geren; Longoria; Murr; Spiller.

(Geren and Longoria now present)

### **SB 2011 ON THIRD READING** **(Slawson, et al. - House Sponsors)**

**SB 2011**, A bill to be entitled An Act relating to the authority of the Public Utility Commission of Texas to impose administrative penalties and enter into voluntary mitigation plans; increasing an administrative penalty.

(Spiller now present)

#### **Amendment No. 1**

Representative Rosenthal offered the following amendment to **SB 2011**:

Amend **SB 2011** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subtitle A, Title 2, Utilities Code, is amended by adding Chapter 18 to read as follows:

#### CHAPTER 18. TEXAS ENERGY EFFICIENCY COUNCIL

Sec. 18.001. DEFINITIONS. In this chapter:

(1) "Council" means the Texas Energy Efficiency Council.

(2) "Energy efficiency program" means a program designed to:

(A) increase efficient energy use;  
(B) reduce energy consumption during periods of peak energy demand;

(C) optimize energy consumption;  
(D) identify and realize the benefits of energy efficient building design standards; or

(E) fund the implementation of energy cost reduction measures.

(3) "Measure" means a direct measurement or modeling of energy efficiency performance over a 12-month period.

(4) "Program administrator" includes any of the following entities that administer an energy efficiency program:

(A) a state agency, including the commission, the Texas Water Development Board, the State Energy Conservation Office, the Texas Commission on Environmental Quality, and the Texas Department of Housing and Community Affairs;

(B) a political subdivision; or

(C) a private or public provider of electricity, gas, or water utility service, including an electric cooperative or municipally owned utility.

Sec. 18.002. PURPOSE. The Texas Energy Efficiency Council is a council established in the commission to:

(1) provide a statewide collaborative approach to promoting energy efficiency;

(2) measure, evaluate, and report on energy efficiency performance in this state;

(3) monitor energy efficiency programs in this state;

(4) make recommendations for improving energy efficiency programs in this state;

(5) monitor and facilitate opportunities for coordination and leveraging of federal funding from the United States Department of Energy, United States Department of Housing and Urban Development, and other federal agencies that can be used by state agencies and political subdivisions for the purposes of enhancing energy efficiency;

(6) provide a central repository for information on statewide energy efficiency performance and opportunities to participate in energy efficiency programs in this state; and

(7) promote continuous improvement in energy efficiency performance in this state.

Sec. 18.003. ENERGY EFFICIENCY PROGRAM POLICIES. A program administrator shall establish measurable performance criteria and share the results with the council when creating or implementing an energy efficiency program.

Sec. 18.004. COUNCIL MEMBERSHIP. (a) The council is composed of the following 16 members:

(1) nine ex officio members as follows:

(A) the presiding officer of the Texas Commission on Environmental Quality;

(B) the chief executive officer of the Electric Reliability Council of Texas;

(C) the presiding officer of the commission;

(D) the comptroller;

(E) the director of the Texas Department of Housing and Community Affairs;

(F) the executive director of the Texas Economic Development and Tourism Office;

(G) the chairman of the Texas Water Development Board;

(H) the director of the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station of The Texas A&M University System; and

(I) the chief executive of the Office of Public Utility Counsel; and

(2) seven public members appointed by the presiding officer of the commission as follows:

(A) one member must have experience in the field of engineering;

(B) one member must have experience in the field of public or private finance;

(C) one member must have experience in the field of law or business;

(D) one member must have experience in the field of environmental stewardship;

(E) one member must have experience in the field of electric utility operation;

(F) one member must have experience in the field of industrial operation; and

(G) one member must have business experience in the implementation of energy efficiency programs.

(b) An ex officio member may designate a person from the member's agency to serve in the member's place.

(c) The presiding officer of the council may designate a person to represent an appointed member in any meeting if the person meets the qualifications required by Subsection (a)(2).

(d) The ex officio members and the appointed members serve as voting members of the council.

(e) The presiding officer of the commission or the employee designated by the presiding officer shall serve as presiding officer of the council.

(f) The council shall meet at least two times per year at the call of the presiding officer.

(g) Council members may not receive compensation for services but, subject to the availability of funding, may receive reimbursement for actual and necessary expenses incurred while performing council business.

(h) Appointments to council positions shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

Sec. 18.005. TERMS; VACANCY. (a) Appointed council members serve staggered four-year terms, with the terms of one or two members, as applicable, expiring on February 1.

(b) A vacancy on the council in the position of an appointed council member shall be filled in the same manner as the original appointment. The person appointed serves for the remainder of the unexpired term.

Sec. 18.006. GROUNDS FOR REMOVAL. (a) It is a ground for removal from the council that a member:

(1) described by Section 18.004(a)(1) does not maintain during service on the council the qualifications required by that subdivision;

(2) cannot, because of illness or disability, discharge the member's duties for a substantial part of the member's term; or

(3) is absent from more than half of the regularly scheduled council meetings that the member is eligible to attend during a calendar year without an excuse approved by a majority vote of the council.

(b) The validity of an action of the council is not affected by the fact that it is taken when a ground for removal of a council member exists.

(c) If the presiding officer has knowledge that a potential ground for removal exists, the presiding officer shall notify the appointing authority and the attorney general that a potential ground for removal exists.

Sec. 18.007. ADMINISTRATIVE SUPPORT. The commission shall provide the council with administrative support, including meeting space and staff necessary to assist the council in carrying out the council's duties under this chapter.

Sec. 18.008. ENERGY EFFICIENCY PROGRAM MONITORING AND RECOMMENDATIONS. (a) The council shall measure, evaluate, and report on energy efficiency performance in this state.

(b) The council shall monitor energy efficiency programs in this state.

(c) The council may submit to a program administrator recommendations on means to encourage greater energy efficiency on a regular basis. The council may submit to a program administrator that administers a program described by Section 39.905 recommendations to assure better coordination between local, state, federal, and private energy efficiency programs for the purposes of Section 39.905.

Sec. 18.009. OFFICIAL INTERNET WEBSITE. The council shall develop and maintain an official Internet website for the publication of information as required by this chapter.

Sec. 18.010. LIST OF ENERGY EFFICIENCY PROGRAMS. (a) The council shall:

(1) develop a list of currently operating energy efficiency programs in this state and publish the list on the official Internet website maintained under Section 18.009; and

(2) work with the State Energy Conservation Office and the commission to develop and publish on the official Internet website maintained under Section 18.009 a user-friendly page that allows a consumer to search by the consumer's address energy efficiency programs available in the consumer's service area.

(b) The State Energy Conservation Office and the commission each shall provide a link on their Internet websites to the page described by Subsection (a)(2).

Sec. 18.011. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Except as provided by this section, the council is not subject to Chapter 551 or 552, Government Code.

(b) Information written, produced, collected, assembled, or maintained under law or in connection with the transaction of official business by the council or an officer or employee of the council is subject to Section 552.008, Government Code, in the same manner as public information.

Sec. 18.012. BIENNIAL PERFORMANCE REPORT. (a) The council biennially shall prepare a report on energy efficiency performance in this state. The council shall submit the report to the legislature not later than January 15 of each odd-numbered year.

(b) The report must include:

(1) a comprehensive review of the energy efficiency programs on the list required by Section 18.010, including initial capital investment, ongoing operating expenses, and energy savings benefits of the programs;

(2) statewide energy efficiency performance by sector and county; and

(3) recommendations for improving energy efficiency programs in this state.

(c) The report may include:

(1) criteria developed by the council for evaluating and measuring energy efficiency programs in this state;

(2) opportunities for continuous improvement in energy efficiency performance in this state; and

(3) recommendations for creating new energy efficiency programs in this state.

(d) The council shall publish the report on the official Internet website maintained under Section 18.009.

Sec. 18.013. APPLICABILITY OF ADVISORY COMMITTEE LAW. Chapter 2110, Government Code, does not apply to the council.

SECTION \_\_\_\_. As soon as practicable after the effective date of this Act, the presiding officer of the Public Utility Commission of Texas shall appoint members to the Texas Energy Efficiency Council in accordance with Section 18.004, Utilities Code, as added by this Act.

(Speaker in the chair)

Amendment No. 1 was withdrawn.

**Amendment No. 2**

Representative Goodwin offered the following amendment to **SB 2011**:

Amend **SB 2011** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 39.905, Utilities Code, is amended by adding Subsections (1), (m), and (n) to read as follows:

(1) Each even-numbered year, the commission shall conduct a study regarding cost-effective energy efficiency in this state. In conducting a study and making its report regarding the study, the commission must:

(1) consider the technical, economic, and achievable potential of energy optimization or of the combination of energy efficiency, demand response, and distributed energy resources of all kinds in terms of megawatts and megawatt hours;

(2) determine the amount of energy savings that is achievable through electric utility programs in compliance with commission rules;

(3) quantify the potential for reduced demand as well as deferred or obviated need for transmission and distribution infrastructure;

(4) analyze and recommend measures and strategies to maximize grid reliability benefits and address the potential to lower overall system costs, including by replacing auxiliary resistance heat with high efficiency heat pumps;

(5) analyze whether the goals in this section are at appropriate levels to achieve all cost-effective energy efficiency;

(6) analyze whether the goals in this chapter could be accelerated in a manner economically achievable and cost-effective;

(7) identify potential strategies to increase participation by retail electric providers in the delivery of energy efficiency services to customers in the ERCOT power region and to address the potential for energy efficiency, demand response, and distributed energy resources in the ERCOT market, including any recommended regulatory or statutory changes to eliminate barriers or facilitate greater efficiency; and

(8) recommend any needed changes to each electric utility's rate structure to encourage energy optimization and demand management to increase grid reliability and lower overall system costs, including by optimizing charging of electric vehicles and use distributed energy resources.

(m) The commission shall impose a fee on electric utilities for the purpose of funding the studies required by Subsection (1)

(n) The commission shall present to the legislature a report of a study conducted under Subsection (1) not later than December 31 of that year.

Amendment No. 2 was withdrawn.

**Amendment No. 3**

Representative Martinez Fischer offered the following amendment to **SB 2011**:

Amend **SB 2011** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 39.905, Utilities Code, is amended by adding Subsections (l), (m), and (n) to read as follows:

(l) Each even-numbered year, the commission shall conduct a study regarding cost-effective energy efficiency in this state. In conducting a study and making its report regarding the study, the commission must:

(1) consider the technical, economic, and achievable potential of energy optimization or of the combination of energy efficiency, demand response, and distributed energy resources of all kinds in terms of megawatts and megawatt hours;

(2) determine the amount of energy savings that is achievable through electric utility programs in compliance with commission rules;

(3) quantify the potential for reduced demand as well as deferred or obviated need for transmission and distribution infrastructure;

(4) analyze and recommend measures and strategies to maximize grid reliability benefits and address the potential to lower overall system costs, including by replacing auxiliary resistance heat with high efficiency heat pumps;

(5) analyze whether the goals in this section are at appropriate levels to achieve all cost-effective energy efficiency;

(6) analyze whether the goals in this chapter could be accelerated in a manner economically achievable and cost-effective;

(7) identify potential strategies to increase participation by retail electric providers in the delivery of energy efficiency services to customers in the ERCOT power region and to address the potential for energy efficiency, demand response, and distributed energy resources in the ERCOT market, including any recommended regulatory or statutory changes to eliminate barriers or facilitate greater efficiency; and

(8) recommend any needed changes to each electric utility's rate structure to encourage energy optimization and demand management to increase grid reliability and lower overall system costs, including by optimizing charging of electric vehicles and use distributed energy resources.

(m) The commission shall impose a fee on electric utilities for the purpose of funding the studies required by Subsection (l)

(n) The commission shall present to the legislature a report of a study conducted under Subsection (l) not later than December 31 of that year.

Amendment No. 3 was withdrawn.

**Amendment No. 4**

Representative Reynolds offered the following amendment to **SB 2011**:

Amend **SB 2011** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 39.101(b), Utilities Code, is amended to read as follows:

(b) A customer is entitled:

(1) to be informed about rights and opportunities in the transition to a competitive electric industry;

(2) to choose the customer's retail electric provider consistent with this chapter, to have that choice honored, and to assume that the customer's chosen provider will not be changed without the customer's informed consent;

(3) to have access to providers of energy efficiency services, to on-site distributed generation, and to providers of energy generated by renewable energy resources;

(4) to be served by a provider of last resort that offers a commission-approved standard service package;

(5) to receive sufficient information to make an informed choice of service provider;

(6) to be protected from unfair, misleading, or deceptive practices, including protection from being billed for services that were not authorized or provided; ~~and~~

(7) to have an impartial and prompt resolution of disputes with its chosen retail electric provider and transmission and distribution utility;

(8) to participation in demand response programs through retail electric providers that offer demand response programs; and

(9) to receive notice from the retail electric provider that serves the customer when the independent organization certified under Section 39.151 for the ERCOT power region issues an emergency energy alert.

SECTION \_\_\_\_\_. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.919 to read as follows:

Sec. 39.919. AVERAGE TOTAL RESIDENTIAL LOAD REDUCTION GOALS. (a) The commission by rule shall establish goals in the ERCOT power region to reduce the average total residential load.

(b) The rules adopted under Subsection (a) must provide for the adoption of a program that:

(1) provides demand response participation to residential customers where reasonably available;

(2) promotes the use of smart metering technology;

(3) is capable of responding to an emergency energy alert about low operating reserves issued by the independent organization certified under Section 39.151 for the ERCOT power region;

(4) provides opportunities for demand response providers to contract with retail electric providers to provide demand response services;

(5) ensures the program does not impact the critical needs of vulnerable populations;

(6) facilitates the widespread deployment of smart responsive appliances and devices in a manner that enables the customer's appliance or device to be enrolled as part of a demand response product or plan offered by a retail electric provider;

(7) establishes the method by which the components of the ratio described by Subsection (c) are calculated for purposes of determining whether the goals described by Subsection (a) have been achieved;

(8) provides for achievement of demand reductions within both summer and winter seasons; and

(9) allows a retail electric provider that offers a demand response program under this section to obtain funding for the demand response program through an energy efficiency incentive program established under Section 39.905 if the program complies with commission requirements adopted under Section 39.905.

(c) The goals described by Subsection (a) must be calculated as a ratio by dividing the amount of load reduced at peak demand by the total amount of demand, at the same time, of all residential customers who have responsive appliances or devices at their premises that reduce the electric consumption of the customers.

(d) A transmission and distribution utility required to provide an energy efficiency incentive program under Section 39.905 may use up to 10 percent of the budgeted spending for those programs on demand response programs described by Subsection (b)(9).

SECTION \_\_\_\_\_. The Public Utility Commission of Texas shall adopt rules as necessary for the adoption of a program to begin facilitating the widespread deployment of appliances and devices capable of being part of a demand response product or plan offered by a retail electric provider, as provided by Section 39.919(b)(6), Utilities Code, as added by this Act, before December 31, 2024.

Amendment No. 4 was withdrawn.

### MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

(Murr now present)

### SB 2011 - (consideration continued)

**SB 2011** was passed by (Record 2005): 73 Yeas, 67 Nays, 2 Present, not voting.

Yeas — Anderson; Bell, C.; Bernal; Bonnen; Bryant; Buckley; Bucy; Burns; Burrows; Button; Cain; Capriglione; Cook; Cortez; Craddick; Cunningham; Dean; Frank; Gates; Geren; Goldman; Goodwin; Guillen; Harris, C.E.; Harris, C.J.; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Kitzman; Klick; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lopez, R.; Lozano; Lujan;

Manuel; Metcalf; Meyer; Morales, E.; Murr; Noble; Oliverson; Patterson; Paul; Price; Raymond; Rogers; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Spiller; Swanson; Talarico; Tepper; Thompson, E.; Thompson, S.; Tinderholt; Toth; Vasut; Vo; Wilson; Zwiener.

Nays — Allen; Allison; Anchía; Ashby; Bailes; Bell, K.; Bowers; Campos; Canales; Clardy; Cole; Collier; Darby; Davis; DeAyala; Flores; Frazier; Gámez; Garcia; Gerdes; Gervin-Hawkins; González, J.; González, M.; Guerra; Harless; Harrison; Hernandez; Isaac; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Longoria; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Morrison; Muñoz; Neave Criado; Ordaz; Orr; Ortega; Perez; Plesa; Ramos; Raney; Reynolds; Romero; Rose; Sherman; Smith; Smithee; Stucky; Thimesch; Turner; VanDeaver; Walle; Wu.

Present, not voting — Mr. Speaker(C); Dutton.

Absent, Excused — Herrero.

Absent — Bhojani; Bumgarner; Dorazio; Johnson, J.D.; Thierry; Troxclair.

### STATEMENTS OF VOTE

When Record No. 2005 was taken, I was in the house but away from my desk. I would have voted no.

Bhojani

When Record No. 2005 was taken, I was shown voting no. I intended to vote yes.

Frazier

When Record No. 2005 was taken, I was shown voting yes. I intended to vote no.

Manuel

When Record No. 2005 was taken, I was shown voting yes. I intended to vote no.

Talarico

When Record No. 2005 was taken, my vote failed to register. I would have voted yes.

Thierry

### SB 2013 ON THIRD READING (Hunter - House Sponsor)

**SB 2013**, A bill to be entitled An Act relating to access to and the security of certain critical infrastructure.

**SB 2013** was passed by (Record 2006): 142 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Schaefer; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Wiener.

Nays — Lalani.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Bhojani; Rosenthal; Schatzline; Wilson.

### **STATEMENTS OF VOTE**

When Record No. 2006 was taken, I was in the house but away from my desk. I would have voted yes.

Bhojani

When Record No. 2006 was taken, I was shown voting no. I intended to vote yes.

Lalani

When Record No. 2006 was taken, I was in the house but away from my desk. I would have voted yes.

Rosenthal

When Record No. 2006 was taken, I was in the house but away from my desk. I would have voted yes.

Wilson

### **SB 1699 ON THIRD READING (Hunter - House Sponsor)**

**SB 1699**, A bill to be entitled An Act relating to the participation of aggregated distributed energy resources in the ERCOT market.

**Amendment No. 1**

Representative Hunter offered the following amendment to **SB 1699**:

Amend **SB 1699** on third reading in the SECTION of the bill adding Section 39.919, Utilities Code, as follows:

(1) Strike Section 39.919(b)(9) and substitute the following:

(9) allows a retail electric provider that offers a demand response program under this section to obtain funding for the demand response program through an energy efficiency incentive program established under Section 39.905 if the program complies with commission requirements related to the evaluation, measurement, and verification of demand response programs adopted under Section 39.905.

(2) Strike Section 39.919(d) and substitute the following:

(d) A transmission and distribution utility required to provide an energy efficiency incentive program under Section 39.905 may use up to 10 percent of the budgeted spending for demand response programs on the programs described by Subsection (b)(9).

Amendment No. 1 was adopted.

**SB 1699**, as amended, was passed by (Record 2007): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Dorazio; Spiller.

**STATEMENT OF VOTE**

When Record No. 2007 was taken, I was in the house but away from my desk. I would have voted yes.

Spiller

**SB 1094 ON THIRD READING  
(Price - House Sponsor)**

**SB 1094**, A bill to be entitled An Act relating to purchased power costs incurred by electric utilities.

**SB 1094** was passed by (Record 2008): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Johnson, J.D.; Thierry.

**STATEMENT OF VOTE**

When Record No. 2008 was taken, I was in the house but away from my desk. I would have voted yes.

Thierry

**SB 947 ON THIRD READING  
(Hunter - House Sponsor)**

**SB 947**, A bill to be entitled An Act relating to creating a criminal offense for damaging certain critical infrastructure facilities and providing for the prosecution of that conduct as manslaughter in certain circumstances; increasing a criminal penalty.

**SB 947** was passed by (Record 2009): 147 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

### **REMARKS ORDERED PRINTED**

Representative J.E. Johnson moved to print remarks between Representative Lozano and Representative Hinojosa on **SB 29**.

The motion prevailed.

### **SB 25 ON THIRD READING (Klick - House Sponsor)**

**SB 25**, A bill to be entitled An Act relating to support for nursing-related postsecondary education, including scholarships to nursing students, loan repayment assistance to nurses and nursing faculty, and grants to nursing education programs.

**SB 25** was passed by (Record 2010): 146 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick;

Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Cain.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

### STATEMENT OF VOTE

When Record No. 2010 was taken, I was shown voting no. I intended to vote yes.

Cain

### SB 26 - RULES SUSPENDED HOUSE SPONSOR AUTHORIZED

Representative Klick moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Lalani as a house sponsor to **SB 26**.

The motion prevailed.

### SB 26 ON THIRD READING (Jetton - House Sponsor)

**SB 26**, A bill to be entitled An Act relating to local mental health authority and local behavioral health authority audits and mental and behavioral health reporting, services, and programs.

(C.J. Harris in the chair)

**SB 26** was passed by (Record 2011): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz;

Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent — Cole; Hernandez; Leo-Wilson.

**SB 1057 ON THIRD READING**  
**(Harless and Thierry - House Sponsors)**

**SB 1057**, A bill to be entitled An Act relating to the authority of certain municipalities and local government corporations to use certain tax revenue for certain qualified projects.

**SB 1057** was passed by (Record 2012): 110 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Cook; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; García; Gerdes; Geren; Gervin-Hawkins; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Rogers; Romero; Rose; Rosenthal; Schofield; Shine; Smith; Smithee; Stucky; Talarico; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Collier; Dean; Dorazio; Goldman; González, J.; Harrison; Hayes; Hefner; Isaac; Leach; Metcalf; Murr; Noble; Patterson; Paul; Reynolds; Schaefer; Shaheen; Sherman; Slawson; Spiller; Swanson; Tepper; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent — Cain; Gates; Leo-Wilson; Lopez, J.; Orr; Schatzline; Thierry.

**STATEMENTS OF VOTE**

When Record No. 2012 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 2012 was taken, I was in the house but away from my desk. I would have voted no.

Leo-Wilson

When Record No. 2012 was taken, I was shown voting yes. I intended to vote no.

Rogers

When Record No. 2012 was taken, I was in the house but away from my desk. I would have voted no.

Schatzline

**SB 627 ON THIRD READING**  
**(Allison - House Sponsor)**

**SB 627**, A bill to be entitled An Act relating to the entitlement of certain municipalities to certain tax revenue related to a hotel and convention center project.

**SB 627** was passed by (Record 2013): 108 Yeas, 34 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Flores; Frazier; Gámez; Garcia; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Holland; Howard; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smithee; Stucky; Talarico; Tepper; Thierry; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Cain; DeAyala; Dorazio; Frank; Gates; Gerdes; Goldman; Harris, C.E.; Harrison; Hayes; Hefner; Hull; Isaac; Jetton; Leach; Leo-Wilson; Metcalf; Noble; Oliverson; Patterson; Paul; Schaefer; Schatzline; Shaheen; Slawson; Smith; Spiller; Swanson; Thimesch; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent — Anderson; Burrows; Dutton; Klick.

**STATEMENT OF VOTE**

When Record No. 2013 was taken, I was shown voting yes. I intended to vote no.

Kitzman

**HOUSE AT EASE**

At 7:01 p.m., the chair announced that the house would stand at ease.

The chair called the house to order at 7:51 p.m.

**HJR 125 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Ashby called up with senate amendments for consideration at this time,

**HJR 125**, A joint resolution proposing a constitutional amendment creating the broadband infrastructure fund to assist in the financing of broadband and telecommunications services projects in the state.

Representative Ashby moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HJR 125**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HJR 125**: Ashby, chair; Geren, Hunter, Longoria, and Rose.

**HB 9 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Ashby called up with senate amendments for consideration at this time,

**HB 9**, A bill to be entitled An Act relating to the development and funding of broadband and telecommunications services; providing for transfers of money for funding.

Representative Ashby moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 9**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 9**: Ashby, chair; Harless, Hernandez, Price, and Rose.

**HB 621 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Shaheen called up with senate amendments for consideration at this time,

**HB 621**, A bill to be entitled An Act relating to creating a temporary educator certification for certain military service members.

Representative Shaheen moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 621**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 621**: Shaheen, chair; Buckley, Cunningham, C.J. Harris, and Hinojosa.

**HB 3447 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Bonnen called up with senate amendments for consideration at this time,

**HB 3447**, A bill to be entitled An Act relating to the establishment and administration of the Texas Aerospace Research and Space Economy Consortium and the Texas Space Commission.

Representative Bonnen moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3447**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3447**: Bonnen, chair; Canales, Metcalf, Paul, and Walle.

**HB 1595 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Bonnen called up with senate amendments for consideration at this time,

**HB 1595**, A bill to be entitled An Act relating to the administration and investment of, and distribution and use of money from, certain constitutional and statutory funds to support general academic teaching institutions in achieving national prominence as major research universities and driving the state economy; redesignating the national research university fund as the Texas University Fund.

Representative Bonnen moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 1595**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 1595**: Bonnen, chair; Burrows, Hernandez, Kuempel, and Walle.

**HB 3697 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Wilson called up with senate amendments for consideration at this time,

**HB 3697**, A bill to be entitled An Act relating to county regulation of subdivisions and approval of subdivision plans or plats.

Representative Wilson moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3697**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3697**: Wilson, chair; C. Bell, Thierry, E. Thompson, and Vasut.

**HB 3104 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Anderson called up with senate amendments for consideration at this time,

**HB 3104**, A bill to be entitled An Act relating to the temporary exemption of certain tangible personal property related to certain connected data center projects from sales and use taxes.

Representative Anderson moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3104**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3104**: Anderson, chair; Bowers, Gerdes, C.J. Harris, and T. King.

**HB 30 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Moody called up with senate amendments for consideration at this time,

**HB 30**, A bill to be entitled An Act relating to access to certain law enforcement, corrections, and prosecutorial records under the public information law.

Representative Moody moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 30**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 30**: Moody, chair; Burrows, Metcalf, Slawson, and Turner.

**HB 4227 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Goldman called up with senate amendments for consideration at this time,

**HB 4227**, A bill to be entitled An Act relating to the repeal of a municipal civil service system for firefighters and police officers in certain municipalities.

Representative Goldman moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 4227**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 4227**: Goldman, chair; Cunningham, Hernandez, Thimesch, and Troxclair.

**HB 12 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Rose called up with senate amendments for consideration at this time,

**HB 12**, A bill to be entitled An Act relating to the duration of services provided under Medicaid to women following a pregnancy.

Representative Rose moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 12**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 12**: Rose, chair; Burrows, Harless, Howard, and Jetton.

**HB 3 - HOUSE REFUSES TO CONCUR  
IN SENATE AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

Representative Burrows called up with senate amendments for consideration at this time,

**HB 3**, A bill to be entitled An Act relating to the development of, implementation of, and funding for public school safety and security requirements.

Representative Burrows moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 3**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 3**: Burrows, chair; Bonnen, K. King, T. King, and Moody.

**SB 22 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Guillen, the house granted the request of the senate for the appointment of a Conference Committee on **SB 22**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 22**: Guillen, chair; Ashby, Geren, E. Morales, and Price.

**SB 1445 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Goldman, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1445**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1445**: Goldman, chair; K. Bell, Canales, Clardy, and Holland.

**SB 2601 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Canales, the house granted the request of the senate for the appointment of a Conference Committee on **SB 2601**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 2601**: Canales, chair; Guerra, Holland, Longoria, and Vasut.

**SB 28 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Geren, the house granted the request of the senate for the appointment of a Conference Committee on **SB 28**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 28**: T. King, chair; Gámez, Geren, Price, and E. Thompson.

**SJR 75 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative T. King, the house granted the request of the senate for the appointment of a Conference Committee on **SJR 75**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SJR 75**: T. King, chair; Geren, Price, Ramos, and E. Thompson.

**SB 133 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Hull, the house granted the request of the senate for the appointment of a Conference Committee on **SB 133**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 133**: Hull, chair; Cain, M. González, Lozano, and Moody.

**SB 1516 - REQUEST OF SENATE GRANTED  
CONFERENCE COMMITTEE APPOINTED**

On motion of Representative Cook, the house granted the request of the senate for the appointment of a Conference Committee on **SB 1516**.

The chair announced the appointment of the following conference committee, on the part of the house, on **SB 1516**: Cook, chair; Canales, Leach, Moody, and Noble.

**SB 186 - NOTICE GIVEN**

At 8:14 p.m., pursuant to the provisions of Rule 7, Section 37(c), of the House Rules, Representative Meyer gave notice that he would, in one hour, move to reconsider the vote by which **SB 186** failed to pass by Record No. 1986.

**GENERAL STATE CALENDAR  
(consideration continued)**

**SB 1717 ON THIRD READING  
(Moody - House Sponsor)**

**SB 1717**, A bill to be entitled An Act relating to the prosecution of the offense of stalking.

**SB 1717 - REMARKS**

REPRESENTATIVE DUTTON: I just want to be sure that—how does this bill now treat prior conduct?

REPRESENTATIVE MOODY: The prior conduct provision that in my understanding was objectionable—that portion of the bill has now been removed. I don't have that section in front of me. It was the Canales amendment when we first had it on the floor before the bill was—

DUTTON: Right, but then you put an amendment back on there.

MOODY: That amendment is the Canales amendment. It was such a good idea by Mr. Canales that I just put my own name on it.

DUTTON: And that's the only amendment that went on the bill?

MOODY: That is the only amendment that went on the bill.

DUTTON: Okay, so now prior conduct is excluded from the determination in the guilt or innocence phase?

MOODY: That portion of the bill that would have impacted prior conduct in guilt/not guilty is no longer in the bill.

DUTTON: Thank you.

**REMARKS ORDERED PRINTED**

Representative Dutton moved to print remarks between Representative Moody and Representative Dutton on **SB 1717**.

The motion prevailed.

**SB 1717** was passed by (Record 2014): 109 Yeas, 28 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bumgarner; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Cunningham; Darby; Davis; DeAyala; Dorazio; Flores; Frank; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harrison; Hayes; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, T.; Kuempel; Lalani; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Shaheen; Sherman; Shine; Smithee; Stucky; Thierry; Thompson, S.; Tinderholt; Turner; VanDeaver; Vo; Wu; Zwiener.

Nays — Bell, C.; Cain; Canales; Craddick; Dean; Dutton; Frazier; Gates; Goldman; Harris, C.E.; Hefner; Isaac; King, K.; Kitzman; Klick; Lambert; Metcalf; Patterson; Paul; Schaefer; Swanson; Tepper; Thimesch; Thompson, E.; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent — Bucy; Harless; Leo-Wilson; Raney; Slawson; Smith; Spiller; Talarico; Walle.

### STATEMENTS OF VOTE

When Record No. 2014 was taken, I was in the house but away from my desk. I would have voted yes.

Slawson

When Record No. 2014 was taken, I was in the house but away from my desk. I would have voted yes.

Spiller

### SB 1661 ON THIRD READING (Smith, et al. - House Sponsors)

**SB 1661**, A bill to be entitled An Act relating to a ballot scan system used in a central counting station.

**SB 1661** was passed by (Record 2015): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Zwiener.

Present, not voting — Mr. Speaker; Harris, C.J.(C).

Absent, Excused — Herrero.

Absent — Thierry.

**STATEMENT OF VOTE**

When Record No. 2015 was taken, my vote failed to register. I would have voted yes.

Thierry

(Goldman in the chair)

**SB 379 - RULES SUSPENDED  
HOUSE SPONSOR AUTHORIZED**

Representative Meyer moved to suspend Rule 8, Section 5(d), of the House Rules to designate as house sponsors and co-sponsors for **SB 379** all joint authors and co-authors for **HB 300**.

The motion prevailed.

**SB 379 ON THIRD READING  
(Howard and Button - House Sponsors)**

**SB 379**, A bill to be entitled An Act relating to an exemption from sales and use taxes for certain family care items.

**SB 379** was passed by (Record 2016): 129 Yeas, 14 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dorazio; Dutton; Flores; Frank; Frazier; Gámez; García; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, K.; Cain; Clardy; Dean; Harrison; Hayes; Isaac; Leo-Wilson; Oliverson; Spiller; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Gates; Klick; Thierry.

**STATEMENTS OF VOTE**

When Record No. 2016 was taken, I was shown voting no. I intended to vote yes.

Clardy

When Record No. 2016 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 2016 was taken, my vote failed to register. I would have voted yes.

Thierry

**SB 471 ON THIRD READING  
(C.J. Harris - House Sponsor)**

**SB 471**, A bill to be entitled An Act relating to the investigation by the Texas Commission on Environmental Quality of certain complaints.

**SB 471 - REMARKS**

REPRESENTATIVE C.J. HARRIS: Members, this is the vexatious complaints limiting bill for TCEQ. I believe there is an amendment.

REPRESENTATIVE MORALES SHAW: This bill, **SB 471**, is concerning to me because of all the progress that we made on the TCEQ sunset bill. We'll see better transparency, the public will see permitting online, the TCEQ has improved tools for enforcement, and they'll have more staff and budget increases. Then we get **SB 471**, and to me that is a back door to the progress that we made on that.

It authorizes and condones the dismissal of TCEQ community complaints. If the layperson finds it important or dangerous enough to find their way through the now very difficult TCEQ process to lodge a complaint about a chronic bad smell, a water pollutant, concrete plant, particulate matter causing asthma, or any other number of environmental hazards is it realistically likely that they are making a fake complaint, or a vexatious or frivolous one? No, it's not. This bill presents to be a remedy for frivolous complaints. I just ask you who would go through tremendous obstacles and the bureaucracy to make a fake claim? I'll answer that. No one would.

Members, not one person, agency, or organization testified in support of **SB 471**. On the other hand, people traveled from across the state, they waited, and they stood strongly against this measure to dismiss their claims and cancel their voices. They came from people who owned rural land and people who lived in urban areas. We had a mixture of young and elderly people. And these are people who have gone through the bureaucratic process. They've experienced how it is to make a complaint with TCEQ. This is a real concern. Members, I just feel it is really important to come up here, and because those people took the time to come out and testify, I think it's important for their voice to be heard today here on the floor by all of you.

Even TCEQ has handled complaints effectively and they couldn't say that they needed this measure. In fact, this is from the TCEQ, "Without the input from concerned public diligent citizens who came forward, many of the industry violations would not be discovered and remedied." This makes the unknowing public safer, protects our precious resources, and calls out bad actors. And this bill is really—when you talk about complaints at the TCEQ, you are not talking about all the industry players because there are a lot of industry players that are good. They take precautions. They care. They do everything they are supposed to do to protect people and the environment, but there are bad actors. That's who people take the time to go through the process and complain about. I hope that because we are going to pass **SB 471** now, I hope that the TCEQ does not use it often to dismiss these consumer complaints—or community complaints, your neighbors—because to me it is the antithesis of the progress that we made. I thank you for your time in listening to this.

REPRESENTATIVE CANALES: I was reading the original bill. Does it still contain a provision that they're able to dismiss a client if it was filed within the preceding seven years?

C.J. HARRIS: That's the same person in the preceding seven years. I clarified this this morning—that it's on the same property, same complaint.

CANALES: Seven years is a significant amount of time. Walk me through somebody making a complaint. It was dismissed? Or it was addressed and then if somebody files a subsequent complaint within seven years they don't even have to look at it?

C.J. HARRIS: No, sir. The point here—and what I'd like to do is give you a prime example of one particular site where I specifically asked TCEQ, "What exactly are we solving here?" There's one site that over four years had 1,823 complaints. They investigated those complaints 89 times and there were only three notices of violation issued. These are the same complaints on the same property. TCEQ goes out and inspects them. They do hope to find instances that they can correct, but it is obvious when there are truly vexatious complainants. Those are the situations we're talking about here.

CANALES: I'm not in disagreement that we need to figure out a way to minimize vexatious complaints, and the agency needs the authority. I don't believe, by any stretch of the imagination, your bill is not going to pass. But the example that you just gave is an extreme example. I do believe that if somebody makes a complaint and it doesn't necessarily rise to the level of an enforcement, but maybe it's getting there and somebody brings up that same complaint and it got there in two years, they would just be able to dismiss this without looking at it?

C.J. HARRIS: In my discussions with TCEQ, I don't think they would dismiss it without looking at it because their intent is to investigate legitimate complaints. It's specifically dealing with these repeat offenders, for lack of a better word, who are eating up time. That example that I just gave you—in the hours that TCEQ keeps track of it was over 43,000 hours. Now, I want to be clear in that we're not

eliminating or restricting the number of times anyone can complain. As a matter of fact, TCEQ right now is going through the process of making it easier for the public to complain through a sunset review process during the interim—that was a suggestion made. The intent is not to deter or inhibit the public's ability to complain at all. It's specifically for these people who are abusive in their complaints.

CANALES: I hear what you're saying. You're not prohibiting anybody from complaining, but what we're doing is creating a methodology where the complaint doesn't have to get listened to if they feel it's been repetitive.

C.J. HARRIS: In certain circumstances, yes.

CANALES: And those circumstances mean that there's "no reasonable probability that they could substantiate the complaint, the complaint was repetitious or redundant, or certain other unsubstantiated complaints investigated in the preceding 12 months." That's kind of vague. You don't believe that that's vague? "Certain other unsubstantiated complaints"?

C.J. HARRIS: I think that it could be construed as vague until you look into these specific cases and you hear directly from TCEQ on what their intention behind this is and how they truly are trying to go after the bad actors. These vexatious complainants tie-up so much time and resources in TCEQ that the concern is that now they're not able to adequately respond to the legitimate complaints that need to be addressed.

CANALES: No doubt. I agree with you. I think TCEQ is underfunded and the honor of my life has been to serve on Sunset. I've worked with TCEQ and the Sunset staff. But what concerns me about this bill is that TCEQ is "not required to provide information about policies or procedures relating to the complaint, investigation, resolution, or notice of the investigation status to the complainant who filed the complaint that met the above criteria." So if you've got a complaint that TCEQ—you make a complaint and they decided that they're dismissing it based on this bill, they don't even have to tell you. There's no transparency there. They don't even have to send the person notice. Who's watching the henhouse? It's the fox watching the henhouse. When a citizen of the State of Texas makes a complaint—whether TCEQ considers it repetitive or not—under this bill they don't have anybody to explain to, they don't have anybody to respond to, and there's no record of why, who, what, where, or when. Where's the accountability? Assuming, arguendo, that you're right and we're here to prevent these things, how are we supposed to know if I've been considered a vexatious complainant? How am I supposed to know if TCEQ has dismissed my complaint because they think it's unsubstantiated? This bill completely alleviates the agency from even notifying the complainant. Do you not see how that might create a situation where the person is going to keep filing the complaint because they don't know what the heck's happening?

C.J. HARRIS: I do understand, theoretically, where the problem could arise. I think the need and the basis for this bill is definitely warranted. As we look over the next two years after this is implemented, hopefully we come back—

CANALES: I don't disagree with you, I don't disagree with the concept of the bill, and I don't disagree that there's serial complainants. But perhaps you're going to exacerbate the problem when they don't even have to respond to a complainant which might give rise to the person complaining about it again because they never got a response. And since they didn't get a response, guess what? They're going to file it again. And so because you have no accountability for the agency to even answer the person that made the complaint, it may give rise to them continuing to file more complaints.

C.J. HARRIS: Sure. I think the point though is that if you have 1,800 complaints on the same location, TCEQ goes out, conducts their investigation, begins a course of action to take corrective measures on that site, and the complaints continue to roll in after that, even though it was corrected—that's what we're trying to address.

CANALES: I agree. That example is great, but that's one of the extreme examples. I'll take you back to what it says—that they're "not required to investigate a complaint if a complaint could be addressed during other TCEQ activities." Okay, take that. That's not even a vexatious complaint. The bill allows them to not investigate a complaint if the complaint could be addressed during other TCEQ activities. Under that provision, if I made a complaint—I'm not even a vexatious complainant, I haven't made multiple complaints—the agency, within its own authority feels we can address this during other activities, does not have to respond to me or let me know. So even if it was my first complaint, under this provision of the bill, the agency doesn't even tell me. It's going to make me file another complaint. I think what the flaw is in the bill, and I think what it creates, is a situation—the intent is great—where the lack of responsibility by the agency to even respond to a vexatious complaint, to even tell the person why we're not looking at it—a simple letter or e-mail that says, "we can address this during other TCEQ activities" or "there's no reasonable probability of us fixing this"—anything. But what we're doing is there's no accountability by a state agency to the citizens of Texas when they file a complaint to let them know what the heck is happening to their complaint. Theoretically, the agency, through this bill, stuff can just go into limbo forever. You're creating a situation where people who have made a complaint, even a genuine complaint, are going to have a lack of understanding. They're not going to know what happened to their complaint. They're not going to know what's going on. The agency doesn't have any accountability to the people complaining. All they've got to do is respond and say, "well, we didn't think it could be addressed" or "we thought it could be addressed in our normal activities." I think the provision of the bill that gives me the most heartburn, Representative is when it says, "you are not required to provide information about the policies or the procedures relating to the complaint and the investigation resolution, or notice at all that such a complaint was filed." I think there's a problem.

**SB 471** was passed by (Record 2017): 85 Yeas, 59 Nays, 2 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lozano; Lujan; Metcalf; Meyer; Morales, E.; Muñoz; Murr; Noble; Oliverson; Ordaz; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bell, K.; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Davis; Dutton; Flores; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales Shaw; Neave Criado; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Lopez, J.; Morrison.

### STATEMENTS OF VOTE

When Record No. 2017 was taken, I was in the house but away from my desk. I would have voted yes.

J. Lopez

When Record No. 2017 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

### SB 401 ON THIRD READING (Harless - House Sponsor)

**SB 401**, A bill to be entitled An Act relating to prices charged by a medical staffing services agency during certain designated public health disaster periods; providing a civil penalty.

**SB 401** was passed by (Record 2018): 128 Yeas, 15 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; García; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Hayes; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson,

J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bumgarner; Cain; Dutton; Harrison; Hefner; Metcalf; Patterson; Ramos; Schaefer; Shaheen; Slawson; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Canales; Dean; Thierry.

### STATEMENTS OF VOTE

When Record No. 2018 was taken, I was in the house but away from my desk. I would have voted no.

Dean

When Record No. 2018 was taken, I was shown voting yes. I intended to vote present, not voting.

Guerra

When Record No. 2018 was taken, I was shown voting yes. I intended to vote no.

Thimesch

### SB 1668 ON THIRD READING (Turner - House Sponsor)

**SB 1668**, A bill to be entitled An Act relating to property owners' associations, including condominium owners' associations.

**SB 1668** was passed by (Record 2019): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Bumgarner; Burns; Burrows; Button; Cain; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; DeAyala; Dorazio; Flores; Frank; Frazier; Gámez; Garcia; Gates; Gerdes; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hernandez; Hinojosa; Holland; Howard; Hull; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Leo-Wilson; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales,

C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Schatzline; Schofield; Shaheen; Sherman; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Toth; Troxclair; Turner; VanDeaver; Vasut; Vo; Walle; Wilson; Wu; Wiener.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Dutton; Thierry.

### **POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

#### **CSSB 21 ON SECOND READING**

**(Leach - House Sponsor)**

**CSSB 21**, A bill to be entitled An Act relating to the discipline of judges by the State Commission on Judicial Conduct and the legislature.

**CSSB 21** was read second time on May 22 and was postponed until 12 p.m. today.

Representative Leach moved to postpone consideration of **CSSB 21** until 10 p.m. today.

The motion prevailed.

#### **CSSB 2012 ON SECOND READING**

**(Hunter - House Sponsor)**

**CSSB 2012**, A bill to be entitled An Act relating to the implementation of a program to meet the reliability needs of the ERCOT power region.

**CSSB 2012** was read second time on May 22 and was postponed until 1 p.m. today.

Representative Hunter moved to postpone consideration of **CSSB 2012** until 10 a.m. Thursday, June 1.

The motion prevailed.

(Speaker in the chair)

#### **CSSB 1861 ON SECOND READING**

**(K. King - House Sponsor)**

**CSSB 1861**, A bill to be entitled An Act relating to the provision of virtual education in public schools and to certain waivers and modifications by the commissioner of education to the method of calculating average daily attendance in an emergency or crisis for purposes of preserving school district funding entitlements under the Foundation School Program during that emergency or crisis; authorizing a fee.

**CSSB 1861** was read second time earlier on May 22 and was postponed 1 p.m. May 22.

Representative K. King moved to postpone consideration of **CSSB 1861** until 10 a.m. Tuesday, July 4.

The motion prevailed.

### **REMARKS ORDERED PRINTED**

Representative Goodwin moved to print all remarks on **SB 471**.

The motion prevailed.

### **SB 189 ON THIRD READING**

#### **(Rose, Reynolds, and Lalani - House Sponsors)**

**SB 189**, A bill to be entitled An Act relating to the creation of a criminal offense concerning the failure of certain persons to report abuse, neglect, or exploitation in boarding home facilities.

**SB 189** was read third time earlier today and was postponed until this time.

#### **Amendment No. 1**

Representative Rose offered the following amendment to **SB 189**:

Amend **SB 189** on third reading by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 260.010(a), Health and Safety Code, is amended to read as follows:

(a) Not later than September 30 of each year following the establishment of a county or municipal permitting requirement under this chapter, each county or municipality that requires a person to obtain a boarding home facility permit under Section 260.004 shall submit to the commission a report. The report must include:

(1) the total number of:

(A) boarding home facilities permitted during the preceding state fiscal year;

(B) boarding home facility applications denied permitting, including a summary of cause for denial; and

(C) boarding home facility permits active on August 31 of the preceding state fiscal year;

(2) the total number of residents reported housed in each boarding home facility reported;

(3) the total number of inspections conducted at each boarding home facility by the county or municipality that requires the permit; ~~and~~

(4) the total number of permits revoked or suspended as a result of an inspection described by Subdivision (3) and a summary of the outcome for the residents displaced by revocation or suspension of a permit; and

(5) the total number of incidents occurring at each boarding home facility that required the intervention of a peace officer as defined by Article 2.12, Code of Criminal Procedure.

SECTION \_\_\_\_\_. Chapter 38, Penal Code, is amended by adding Section 38.172 to read as follows:

Sec. 38.172. FAILURE TO REPORT ASSAULT, NEGLECT, OR OMISSION OF CARE IN CERTAIN GROUP HOMES. (a) In this section, "group home" means an establishment that:

(1) provides, in one or more buildings, lodging to three or more residents who are unrelated by blood or marriage to the owner of the establishment; and

(2) provides those residents with community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication but does not provide personal care services as defined by Section 247.002, Health and Safety Code.

(b) A person commits an offense if the person:

(1) has actual knowledge that a resident of a group home has suffered bodily injury due to assault, neglect, or an omission in care; and

(2) fails to report that fact to law enforcement or the Department of Family and Protective Services.

(c) It is an exception to the application of this section that:

(1) the actor is a person who holds a license issued under Chapter 142, 242, 246, 247, or 252, Health and Safety Code, or who is exempt from licensing under Section 142.003(a)(19), 242.003(3), or 247.004(4), Health and Safety Code; or

(2) the injury occurs in:

(A) an establishment or facility exempt from licensing under Section 142.003(a)(19), 242.003(3), or 247.004(4), Health and Safety Code;

(B) a hotel as defined by Section 156.001, Tax Code;

(C) a retirement community;

(D) a monastery or convent;

(E) a child-care facility as defined by Section 42.002, Human Resources Code;

(F) a family violence shelter center as defined by Section 51.002, Human Resources Code; or

(G) a sorority or fraternity house or other dormitory associated with an institution of higher education.

(d) An offense under this section is a Class A misdemeanor.

(e) If conduct constituting an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

Amendment No. 1 was adopted.

**SB 189**, as amended, was passed by (Record 2020): 111 Yeas, 35 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bailes; Bell, C.; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burrows; Button; Campos; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Cunningham; Darby; Davis; Dean; DeAyala; Dutton; Flores; Frank; Frazier; Gámez; Garcia; Gerdes; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Holland; Howard; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Klick; Kuempel; Lalani; Lambert; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schaefer; Sherman; Shine; Smith; Spiller; Stucky; Swanson; Talarico; Thierry; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bumgarner; Burns; Cain; Canales; Craddick; Dorazio; Gates; Geren; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Isaac; Kitzman; Landgraf; Leach; Metcalf; Murr; Patterson; Paul; Schatzline; Schofield; Shaheen; Slawson; Smithee; Tepper; Thimesch; Tinderholt; Toth; Troxclair; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Leo-Wilson.

### STATEMENTS OF VOTE

When Record No. 2020 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 2020 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

### MAJOR STATE CALENDAR SENATE BILLS SECOND READING

The following bills were laid before the house and read second time:

#### CSSB 2424 ON SECOND READING (Hefner - House Sponsor)

**CSSB 2424**, A bill to be entitled An Act relating to illegal entry into this state from Mexico by a person who is not a citizen or legal permanent resident of the United States; creating criminal offenses.

**CSSB 2424 - POINT OF ORDER**

Representative Gámez raised a point of order against further consideration of **CSSB 2424** under Rule 8, Section 1(a)(1), of the House Rules on the grounds that the bill caption failed to give reasonable notice of the subject of the bill. The point of order was withdrawn.

Representative Hefner moved to postpone consideration of **CSSB 2424** until 10:15 p.m. today.

The motion prevailed.

**CSSB 9 ON SECOND READING  
(Dutton - House Sponsor)**

**CSSB 9**, A bill to be entitled An Act relating to the rights and certification of public school educators, including financial and other assistance and waivers provided to public schools by the Texas Education Agency related to public school educators, methods of instruction provided in public schools, and certain allotments under the Foundation School Program.

**Amendment No. 1**

Representative Burns offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) by striking page 1, line 10, and substituting the following:  
amending Subsections (d), (e), and (k) and adding Subsections (k-1) and (l) to read as follows:

(d) The employment policy must provide that not later than the fifth [~~10th~~] school day before the date on which a district fills a vacant position for which a certificate or license is required as provided by Section 21.003, other than a position that affects the safety and security of students as determined by the board of trustees, the district must provide to each current district employee:

(1) notice of the position by posting the position on:

(A) a bulletin board at:

(i) a place convenient to the public in the district's central administrative office; and

(ii) the central administrative office of each campus in the district during any time the office is open; or

(B) the district's Internet website, if the district has a website; and

(2) a reasonable opportunity to apply for the position.

(e) If, during the school year, the district must fill a vacant position held by a teacher, as defined by Section 21.201, in less than five [~~10~~] school days, the district:

(1) must provide notice of the position in the manner described by Subsection (d)(1) as soon as possible after the vacancy occurs;

(2) is not required to provide the notice for five [~~10~~] school days before filling the position; and

(3) is not required to comply with Subsection (d)(2).

(k) A school district shall post on the district's Internet website, if the district has a website, the employment policy adopted by the district's board of trustees under Subsection (a) and the full text of any regulations referenced in the policy. For the purposes of this section, regulations include any written document issued pursuant to a delegation of authority by a district's board of trustees or that implements a policy adopted by a district's board of trustees, including compensation plans, employee leave conditions and procedures, and professional development requirements. A school district shall make available any forms referenced in the policy:

(1) on an intranet website that is maintained by the district and accessible to district employees; or

(2) if the district does not maintain an intranet website described by Subdivision (1), at a district administrative office designated by the district.

(k-1) A grievance presented by a district employee that is based on a violation of a regulation referenced in the employment policy adopted by the district's board of trustees under Subsection (a) must be considered timely regardless of when the grievance is presented if the school district has not:

(1) complied with the requirements of Subsection (k); or

(2) provided a copy of the regulation to the employee presenting the grievance.

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative M. González offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) as follows:

(1) On page 17, strike lines 19 and 20 and substitute the following:

SECTION 16. Section 29.054, Education Code, is amended by amending Subsections (b) and (c) and adding Subsection (b-1) to read as follows:

(2) On page 18, line 13, between "exception" and the period, insert the following:  
, including:

(A) recruitment efforts;

(B) the use of funds to provide salary stipends;

(C) certification training and technical assistance offered by the

district;

(D) reassignment of staff, as needed; and

(E) program innovations to address the affective, linguistic, and cognitive needs of emergent bilingual students

(3) On page 18, between lines 13 and 14, insert the following:

(b-1) Each district shall annually update the plan and submit a progress report to the agency describing the district's implementation of the measures described by Subsection (b)(4) in the preceding year.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Dean offered the following amendment to **CSSB 9**:

Amend **CSSB 9** as follows:

(1) On page 20, line 27, immediately following "each" insert:

(A)

and immediately following "recognized teacher" strike ~~and~~ and insert:  
; or (B) teacher designated as nationally board certified before September 1, 2023.

(2) On page 21, line 5, immediately following "certified" insert:  
on or after September 1, 2023.

Amendment No. 3 was adopted.

**Amendment No. 4**

Representative Martinez Fischer offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) as follows:

(1) On page 25, line 6, strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(2) On page 25, immediately following line 14, insert the following:

(c) Sections 48.051(a) and 48.202(a-1), Education Code, as amended by this Act, take effect September 1, 2024.

(3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 48.051(a), Education Code, is amended to read as follows:

(a) For each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream or career and technology education programs, for which an additional allotment is made under Subchapter C, a district is entitled to an allotment equal to the lesser of \$7,160 [~~\$6,160~~] or the amount that results from the following formula:

$$A = \underline{\$7,160} [\del{\$6,160}] \times \text{TR/MCR}$$

where:

"A" is the allotment to which a district is entitled;

"TR" is the district's tier one maintenance and operations tax rate, as provided by Section 45.0032; and

"MCR" is the district's maximum compressed tax rate, as determined under Section 48.2551.

SECTION \_\_\_\_\_. Section 48.202(a-1), Education Code, is amended to read as follows:

(a-1) For purposes of Subsection (a), the dollar amount guaranteed level of state and local funds per weighted student per cent of tax effort ("GL") for a school district is:

(1) the greater of the amount of district tax revenue per weighted student per cent of tax effort available to a school district at the 96th percentile of wealth per weighted student or the amount that results from multiplying \$7,160 [~~6,160~~], or the greater amount provided under Section 48.051(b), if applicable, by 0.016, for the first eight cents by which the district's maintenance and operations tax rate exceeds the district's tier one tax rate; and

(2) subject to Subsection (f), the amount that results from multiplying \$7,160 [~~\$6,160~~], or the greater amount provided under Section 48.051(b), if applicable, by 0.008, for the district's maintenance and operations tax effort that exceeds the amount of tax effort described by Subdivision (1).

Amendment No. 4 was adopted.

### **Amendment No. 5**

Representative Bernal offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee printing) as follows:

(1) On page 25, line 12, strike "Sections 48.112(c) and (d) and 48.114" and substitute "Sections 48.104(a), (d), and (e), 48.112(c) and (d), and 48.114".

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Sections 48.104(a), (d), and (e), Education Code, are amended to read as follows:

(a) For each student who does not have a disability and resides in a residential placement facility in a district in which the student's parent or legal guardian does not reside, a district is entitled to an annual allotment equal to the basic allotment multiplied by 0.2 or, if the student is educationally disadvantaged, 0.28 [~~0.275~~]. For each full-time equivalent student who is in a remedial and support program under Section 29.081 because the student is pregnant, a district is entitled to an annual allotment equal to the basic allotment multiplied by 2.41.

(d) The weights assigned to the five tiers of the index established under Subsection (c) are, from least to most severe economic disadvantage, 0.23 [~~0.225~~], 0.2425 [~~0.2375~~], 0.255 [~~0.25~~], 0.2675 [~~0.2625~~], and 0.28 [~~0.275~~].

(e) If insufficient data is available for any school year to evaluate the level of economic disadvantage in a census block group, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.23 [~~0.225~~] for each student who is educationally disadvantaged and resides in that census block group.

Amendment No. 5 was adopted.

### **Amendment No. 6**

Representative Talarico offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) as follows:

(1) On page 25, line 13, between "48.108(a-1)" and "and", insert ", 48.116,".

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter C, Chapter 48, Education Code, is amended by adding Section 48.116 to read as follows:

Sec. 48.116. FINE ARTS ALLOTMENT. (a) For each student in average daily attendance enrolled in a fine arts education course approved by the agency under Subsection (b) in grades 6 through 12, a school district is entitled to an annual allotment equal to the basic allotment, or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled, multiplied by .008.

(b) The agency shall approve fine arts education courses that qualify for the allotment provided under this section. The approved courses must include fine arts education courses that:

(1) are authorized by the State Board of Education, including music, art, theater, and dance;

(2) provide students with the knowledge and skills necessary for success in the fine arts; and

(3) require a student in full-time attendance to receive not less than 225 minutes of fine arts instruction per week.

(c) The agency shall annually publish a list of fine arts courses approved under Subsection (b).

Amendment No. 6 was adopted.

#### **Amendment No. 7**

Representative Allison offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 21.054, Education Code, is amended by amending Subsections (a) and (i) and adding Subsection (i-1) to read as follows:

(a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements, including opportunities for educators to receive micro-credentials, as provided by Subsection (i), in:

(1) fields of study related to the educator's certification class; or

(2) digital teaching ~~[as provided by Subsection (i)].~~

(i) The board shall propose rules establishing a program to issue micro-credentials in fields of study related to an educator's certification class or in digital teaching. The agency shall approve continuing education providers to offer micro-credential courses. A micro-credential received by an educator shall be recorded on the agency's Educator Certification Online System (ECOS) and included as part of the educator's public certification records.

(i-1) In proposing rules under Subsection (i) for micro-credentials related to digital teaching, the board shall engage relevant stakeholders.

Amendment No. 7 was adopted.

**Amendment No. 8**

Representative Allen offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 62, Labor Code, is amended by adding Section 62.058 to read as follows:

Sec. 62.058. MINIMUM WAGE FOR SCHOOL BUS DRIVERS. (a) In this section, "school bus driver" means a person employed to transport students to or from school or a school-sponsored or school-related activity.

(b) This section applies to:

- (1) a public school district with a student enrollment of 4,500 or more;
- (2) an open-enrollment charter school; and
- (3) a mass transit authority, commercial transportation company, or juvenile board that contracts with a school district described by Subdivision (1) or an open-enrollment charter school to provide public school transportation.

(c) Notwithstanding Section 62.051 or 62.151 or any other law, an employer to which this section applies shall pay to each school bus driver employed by the employer not less than the greater of:

- (1) \$15 an hour; or
- (2) the federal minimum wage under Section 6, Fair Labor Standards Act of 1938 (29 U.S.C. Section 206).

A record vote was requested.

Amendment No. 8 was adopted by (Record 2021): 100 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Campos; Canales; Clardy; Cole; Collier; Cortez; Darby; Davis; Dean; Dutton; Flores; Frazier; Gámez; García; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.E.; Jones, J.; Jones, V.; King, K.; King, T.; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Stucky; Talarico; Thimesch; Thompson, E.; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bumgarner; Cain; Craddick; DeAyala; Gates; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Kacal; Kitzman; Klick; Leo-Wilson; Lujan; Metcalf; Noble; Patterson; Paul; Price; Schaefer; Schatzline; Shaheen; Slawson; Smith; Smithee; Spiller; Swanson; Tepper; Tinderholt; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Button; Capriglione; Cook; Cunningham; Dorazio; Frank; Jetton; Johnson, J.D.; Thierry; Troxclair.

### STATEMENT OF VOTE

When Record No. 2021 was taken, I was shown voting no. I intended to vote yes.

Hunter

#### Amendment No. 9

Representative Guerra offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.04892 to read as follows:

Sec. 21.04892. BILINGUAL TARGET LANGUAGE PROFICIENCY TEST. The board shall propose rules to allow a person who is required to take the Bilingual Target Language Proficiency Test to receive a certification under this subchapter who fails to perform satisfactorily on that test to:

(1) retake only the sections of the test that include the domains on which the person failed to perform satisfactorily; and

(2) during a retake of the test described by Subdivision (1), demonstrate the person's language proficiency through the completion of fewer components, including eliminating a component that requires the preparation of a lesson plan for a person who fails to perform satisfactorily on a domain requiring completion of that component.

Amendment No. 9 was adopted.

#### Amendment No. 10

Representative K. Bell offered the following amendment to **CSSB 9**:

Amend **CSSB 9** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 11.1511(b), Education Code, is amended to read as follows:

(b) The board shall:

(1) seek to establish working relationships with other public entities to make effective use of community resources and to serve the needs of public school students in the community;

(2) adopt a vision statement and comprehensive goals for the district and the superintendent and monitor progress toward those goals;

(3) establish performance goals for the district concerning:

(A) the academic and fiscal performance indicators under Subchapters C, D, and J, Chapter 39; and

- (B) any performance indicators adopted by the district;
- (4) ensure that the superintendent:
  - (A) is accountable for achieving performance results;
  - (B) recognizes performance accomplishments; and
  - (C) takes action as necessary to meet performance goals;
- (5) adopt a policy to establish a district- and campus-level planning and decision-making process as required under Section 11.251;
- (6) publish an annual educational performance report as required under Section 39.306;
- (7) adopt an annual budget for the district as required under Section 44.004;
- (8) adopt a tax rate each fiscal year as required under Section 26.05, Tax Code;
- (9) monitor district finances to ensure that the superintendent is properly maintaining the district's financial procedures and records;
- (10) ensure that district fiscal accounts are audited annually as required under Section 44.008;
- (11) publish an end-of-year financial report for distribution to the community;
- (12) conduct elections as required by law;
- (13) by rule, adopt a process through which district personnel, students or the parents or guardians of students, and members of the public may file a complaint and obtain a hearing from the district administrators and the board regarding the [¶] complaint that must:
  - (A) allow a complaint to be filed at any time regardless of when the conduct initially giving rise to the complaint occurred if the complaint alleges a violation of law or board policy that is continuous or ongoing;
  - (B) unless otherwise provided by law, include:
    - (i) an initial administrative hearing; and
    - (ii) an opportunity to appeal the administrative decision following the initial hearing;
  - (C) unless otherwise agreed to by the parties, provide for a final decision on the complaint not later than 120 calendar days after the date on which the complaint was filed; and
  - (D) if a final decision on a complaint is not rendered before the 120th day after the date on which the complaint was filed, require the district to immediately render a final decision on the complaint in favor of the complainant;
- (14) make decisions relating to terminating the employment of district employees employed under a contract to which Chapter 21 applies, including terminating or not renewing an employment contract to which that chapter applies; and
- (15) carry out other powers and duties as provided by this code or other law.

SECTION \_\_\_\_\_. The board of trustees of a school district shall adopt a process for filing a complaint and obtaining a hearing in accordance with Section 11.1511(b), Education Code, as amended by this Act, as soon as practicable after September 1, 2023.

Amendment No. 10 was adopted.

A record vote was requested.

**CSSB 9**, as amended, was passed to third reading by (Record 2022): 116 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bell, K.; Bernal; Bhojani; Bonnen; Bowers; Bryant; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Darby; Davis; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gámez; Garcia; Gerdes; Geren; Gervin-Hawkins; Goldman; González, J.; Goodwin; Guerra; Guillen; Harris, C.E.; Hernandez; Hinojosa; Holland; Howard; Hunter; Isaac; Jetton; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, V.; Kacal; King, K.; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Ordaz; Orr; Ortega; Paul; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Rogers; Romero; Rose; Rosenthal; Schatzline; Schofield; Sherman; Shine; Smith; Smithee; Spiller; Stucky; Talarico; Tepper; Thimesch; Thompson, E.; Thompson, S.; Tinderholt; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Cain; Cunningham; Flores; Gates; González, M.; Harless; Harris, C.J.; Harrison; Hayes; Hefner; Jones, J.; Kitzman; Klick; Leach; Leo-Wilson; Noble; Oliverson; Patterson; Schaefer; Shaheen; Toth; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Bumgarner; Hull; King, T.; Slawson; Swanson; Thierry; Troxclair.

### STATEMENTS OF VOTE

When Record No. 2022 was taken, I was in the house but away from my desk. I would have voted yes.

Bumgarner

When Record No. 2022 was taken, I was shown voting no. I intended to vote yes.

Flores

When Record No. 2022 was taken, I was shown voting no. I intended to vote yes.

J. Jones

When Record No. 2022 was taken, I was shown voting no. I intended to vote yes.

Kitzman

When Record No. 2022 was taken, I was shown voting no. I intended to vote yes.

Leach

When Record No. 2022 was taken, I was shown voting no. I intended to vote yes.

Patterson

When Record No. 2022 was taken, I was shown voting yes. I intended to vote no.

Paul

When Record No. 2022 was taken, I was shown voting yes. I intended to vote no.

Schatzline

When Record No. 2022 was taken, I was shown voting no. I intended to vote yes.

Shaheen

When Record No. 2022 was taken, I was in the house but away from my desk. I would have voted no.

Slawson

When Record No. 2022 was taken, I was shown voting yes. I intended to vote no.

Smithee

### **CSSB 11 ON SECOND READING (K. King - House Sponsor)**

**CSSB 11**, A bill to be entitled An Act relating to measures for ensuring safety and security in public schools, including measures related to the health and safety of public school students and active shooter training for certain peace officers.

Representative K. King moved to postpone consideration of **CSSB 11** until 10 a.m. Friday, June 1, 2035.

The motion prevailed.

### **CSSB 1318 ON SECOND READING (Smith - House Sponsor)**

**CSSB 1318**, A bill to be entitled An Act relating to the release of defendants on bail, the duties of a magistrate in certain criminal proceedings, and the notice provided by peace officers to adult victims of family violence.

Representative Smith moved to postpone consideration of **CSSB 1318** until 10 a.m. Friday, September 1.

The motion prevailed.

**CONSTITUTIONAL AMENDMENTS CALENDAR  
SENATE JOINT RESOLUTIONS  
SECOND READING**

The following resolutions were laid before the house and read second time:

**CSSJR 44 ON SECOND READING  
(Smith - House Sponsor)**

**CSSJR 44**, A joint resolution proposing a constitutional amendment authorizing the denial of bail under some circumstances to a person accused of certain violent or sexual offenses or of continuous trafficking of persons and requiring a judge or magistrate to impose the least restrictive conditions of bail that may be necessary to ensure the person's appearance in court as required and the safety of the community, law enforcement, and the victim of the alleged offense.

Representative Smith moved to postpone consideration of **CSSJR 44** until 10 a.m. Friday, September 1.

The motion prevailed.

(Goldman in the chair)

**SJR 35 ON SECOND READING  
(Geren - House Sponsor)**

**SJR 35**, A joint resolution proposing a constitutional amendment clarifying that a voter must be a United States citizen.

**SJR 35** was passed to third reading by (Record 2023): 87 Yeas, 1 Nays, 58 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Dutton; Frank; Frazier; Gates; Gerdes; Geren; Guerra; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Rosenthal.

Present, not voting — Mr. Speaker; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Flores; Gámez; Garcia; Gervin-Hawkins; Goldman(C); González, J.; González, M.; Goodwin;

Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Absent, Excused — Herrero.

Absent — Allen; Davis.

### STATEMENTS OF VOTE

When Record No. 2023 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Allen

When Record No. 2023 was taken, I was shown voting present, not voting. I intended to vote yes.

Muñoz

When Record No. 2023 was taken, I was shown voting present, not voting. I intended to vote no.

Sherman

### SJR 52 ON SECOND READING (Vasut - House Sponsor)

**SJR 52**, A joint resolution extending the deadline for the automatic rescission of certain applications made by the Texas Legislature to the United States Congress to call a national convention under Article V of the United States Constitution for proposing any amendment to that constitution.

### SJR 52 - POINT OF ORDER

Representative Anchía raised a point of order against further consideration of **SJR 52** under Rule 4, Section 18(a), of the House Rules on the grounds that the committee minutes are inaccurate. The point of order was withdrawn.

Representative Vasut moved to postpone consideration of **SJR 52** until 10 a.m. Friday, August 18.

The motion prevailed.

### GENERAL STATE CALENDAR SENATE BILLS SECOND READING

The following bills were laid before the house and read second time:

### SB 999 ON SECOND READING (T. King - House Sponsor)

**SB 999**, A bill to be entitled An Act relating to the requirement that providers of active shooter training at public schools and institutions of higher education obtain a certificate issued by the Texas Commission on Law Enforcement.

**Amendment No. 1**

Representative T. King offered the following amendment to **SB 999**:

Amend **SB 999** (house committee report) as follows:

(1) Strike page 1, lines 7-8, and substitute the following:

SECTION 1. Section 37.0812, Education Code, is amended by adding Subsection (c) to read as follows:

(2) On page 1, line 9, strike "(c-1)" and substitute "(c)".

(3) On page 1, line 10, strike "active shooter training for the students or employees of a school" and substitute "active shooter response training under this section".

(4) Strike page 1, lines 13-14, and substitute the following:

SECTION 2. Subchapter E, Chapter 51, Education Code, is amended by adding Section 51.221 to read as follows:

(5) On page 1, line 15, strike "51.9363" and substitute "51.221".

(6) On page 1, lines 17-18, strike "the students or employees of the institution" and substitute "peace officers commissioned under this subchapter".

(7) On page 2, line 4, strike "students or employees at" and substitute "peace officers of".

(8) On page 2, line 26, strike "37.1141(c-1) and 51.9363" and substitute "37.0812(c) and 51.221".

Amendment No. 1 was adopted.

**SB 999**, as amended, was passed to third reading.

**CSSB 1987 ON SECOND READING**  
**(Guillen - House Sponsor)**

**CSSB 1987**, A bill to be entitled An Act relating to the accreditation of certain postsecondary educational institutions in this state or of certain programs offered by those institutions.

**Amendment No. 1**

Representative Guillen offered the following amendment to **CSSB 1987**:

Amend **CSSB 1987** (house committee report) as follows:

(1) On page 1, strike line 23 and substitute the following:  
academic teaching institutions ~~[the Commission on Colleges of the~~

~~(2) On page 3, strike line 2 and substitute the following:  
61.003 as that section applied on January 1, 2023 [or are located within this state and meet the same program standards and accreditation as public institutions of higher education as determined by the board].~~

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Kuempel offered the following amendment to **CSSB 1987**:

Amend **CSSB 1987** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) In this section, "board" means the Texas Higher Education Coordinating Board.

(b) The board shall conduct a study on the accreditation of institutions of higher education in this state. The study must include an assessment of:

- (1) the costs, including any fees, associated with accreditation;
- (2) the accreditation cycle and timeline;
- (3) any accelerated accreditation processes;
- (4) the responsiveness of accrediting agencies to institutions;
- (5) the capacity of accrediting agencies to serve additional institutions;
- (6) differences between accrediting agency standards; and

(7) evidence demonstrating an accrediting agency's focus on educational and labor market outcomes for students enrolled in an institution accredited by the agency.

(c) Not later than November 1, 2024, the board shall submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each legislative committee with primary jurisdiction over higher education a written report on the results of the board's study under this section. The report must include:

(1) an examination of the impact of recent changes to federal regulations and policies related to accreditation;

(2) a review of existing accrediting agencies; and

(3) a framework to assist institutions of higher education in this state in the selection of an accrediting agency that includes an explanation of the potential costs and savings to institutions from transitioning to a new accrediting agency.

(d) This section expires January 1, 2025.

Amendment No. 2 was adopted.

### **CSSB 1987 - POINT OF ORDER**

Representative Turner raised a point of order against further consideration of **CSSB 1987** under Rule 8, Section 3, of the House Rules on the grounds that the bill contains more than one subject. The point of order was withdrawn.

Representative Guillen moved to postpone consideration of **CSSB 1987** until 10 a.m. Thursday, June 1.

The motion prevailed.

### **POSTPONED BUSINESS**

The following bills were laid before the house as postponed business:

#### **CSSB 21 ON SECOND READING**

**(Leach - House Sponsor)**

**CSSB 21**, A bill to be entitled An Act relating to the discipline of judges by the State Commission on Judicial Conduct and the legislature.

**CSSB 21** was read second time on May 22, postponed until 12 p.m. today, and was again postponed until this time.

**CSSB 21 - POINT OF ORDER**

Representative Moody raised a point of order against further consideration of **CSSB 21** under Rule 4, Section 32(c)(1), of the House Rules on the grounds that the background and purpose statement in the bill analysis is substantially or materially misleading. The point of order was withdrawn.

Representative Leach moved to postpone consideration of **CSSB 21** until 10 a.m. Thursday, June 1.

The motion prevailed.

**CSSB 2424 ON SECOND READING  
(Hefner - House Sponsor)**

**CSSB 2424**, A bill to be entitled An Act relating to illegal entry into this state from Mexico by a person who is not a citizen or legal permanent resident of the United States; creating criminal offenses.

**CSSB 2424** was read second time earlier today and was postponed until this time.

Representative Hefner moved to postpone consideration of **CSSB 2424** until 10 a.m. Thursday, June 1.

The motion prevailed.

**GENERAL STATE CALENDAR  
(consideration continued)****CSSB 767 ON SECOND READING  
(Lozano - House Sponsor)**

**CSSB 767**, A bill to be entitled An Act relating to notice requirements for certain municipal fees and the process to adopt a municipal budget that includes the use of revenue from those fees.

**CSSB 767 - POINT OF ORDER**

Representative Bryant raised a point of order against further consideration of **CSSB 767** under Rule 4, Section 32(c)(2) and (5), of the House Rules on the grounds that the bill analysis is substantially or materially misleading. The point of order was withdrawn.

Representative Lozano moved to postpone consideration of **CSSB 767** until 10 a.m. Thursday, May 23, 2024.

The motion prevailed.

**SB 545 ON SECOND READING  
(Toth - House Sponsor)**

**SB 545**, A bill to be entitled An Act relating to death records maintained and provided by the vital statistics unit of the Department of State Health Services.

**SB 545** was passed to third reading.

**SB 2620 ON SECOND READING**  
**(Spiller - House Sponsor)**

**SB 2620**, A bill to be entitled An Act relating to authorizing certain political subdivisions to change the date on which their general election for officers is held.

**Amendment No. 1**

Representative Spiller offered the following amendment to **SB 2620**:

Amend **SB 2620** (house committee report) on page 1, line 7, between "municipality" and "wholly", insert ", independent school district, or hospital district".

Amendment No. 1 was adopted.

**SB 2620**, as amended, was passed to third reading.

**SB 2453 ON SECOND READING**  
**(Hernandez - House Sponsor)**

**SB 2453**, A bill to be entitled An Act relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial buildings.

**Amendment No. 1**

Representative Howard offered the following amendment to **SB 2453**:

Amend **SB 2453** (house committee report) on page 3, between lines 21 and 22, by inserting the following appropriately numbered subdivision in the subsection and renumbering the subdivisions in the subsection accordingly:

( ) a building other than a single-family residential property located in a municipality with a population of less than 20,000;

Amendment No. 1 was adopted.

A record vote was requested.

**SB 2453**, as amended, was passed to third reading by (Record 2024): 78 Yeas, 62 Nays, 3 Present, not voting.

Yeas — Allen; Allison; Anchía; Ashby; Bernal; Bhojani; Bowers; Bryant; Bucy; Burrows; Button; Campos; Canales; Clardy; Cole; Collier; Cortez; Cunningham; Davis; Flores; Frazier; Gámez; García; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, R.; Lozano; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Oliverson; Ordaz; Ortega; Perez; Plesa; Ramos; Raymond; Reynolds; Romero; Rose; Rosenthal; Sherman; Smith; Stucky; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Anderson; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Cain; Capriglione; Cook; Craddick; Darby; Dean; DeAyala; Dorazio; Frank; Gates; Gerdes; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Kitzman; Klick; Leach; Leo-Wilson; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smithee; Spiller; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker; Goldman(C); Hunter.

Absent, Excused — Herrero.

Absent — Dutton; Geren; Jetton; King, T.; Lopez, J.

### **STATEMENTS OF VOTE**

When Record No. 2024 was taken, I was shown voting yes. I intended to vote no.

Lambert

When Record No. 2024 was taken, I was shown voting yes. I intended to vote no.

Stucky

### **SB 1647 ON SECOND READING (Hefner - House Sponsor)**

**SB 1647**, A bill to be entitled An Act relating to dropout recovery education programs.

**SB 1647** was passed to third reading.

### **SB 936 ON SECOND READING (Smithee - House Sponsor)**

**SB 936**, A bill to be entitled An Act relating to certain agreements with collective bargaining organizations related to certain publicly funded public work contracts.

### **SB 936 - POINT OF ORDER**

Representative Walle raised a point of order against further consideration of **SB 936** under Rule 4, Section 32(c)(2), of the House Rules on the grounds that the bill analysis is substantially or materially misleading. The point of order was withdrawn.

Representative Smithee moved to postpone consideration of **SB 936** until 10 a.m. Thursday, June 1.

The motion prevailed.

**SB 2035 ON SECOND READING**  
**(Capriglione - House Sponsor)**

**SB 2035**, A bill to be entitled An Act relating to the issuance of certain anticipation notes and certificates of obligation.

**SB 2035** was passed to third reading.

**SB 365 ON SECOND READING**  
**(Landgraf - House Sponsor)**

**SB 365**, A bill to be entitled An Act relating to the issuance or amendment of a certificate of public convenience and necessity that authorizes the construction of an electrical substation.

**Amendment No. 1**

Representative Landgraf offered the following amendment to **SB 365**:

Amend **SB 365** (senate committee report) as follows:

- (1) On page 1, line 10, strike "the" and substitute "a".
- (2) On page 1, line 11, between "certificate" and "to" insert "of convenience and necessity".

Amendment No. 1 was adopted.

A record vote was requested.

**SB 365**, as amended, was passed to third reading by (Record 2025): 112 Yeas, 27 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Bumgarner; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Craddick; Cunningham; Darby; Davis; Dean; Dutton; Flores; Frank; Gámez; García; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hayes; Hernandez; Holland; Hull; Hunter; Jetton; Johnson, A.; Johnson, J.D.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Noble; Oliverson; Ordaz; Orr; Ortega; Patterson; Perez; Plesá; Price; Raney; Raymond; Reynolds; Rogers; Romero; Schofield; Shaheen; Sherman; Shine; Smithee; Spiller; Stucky; Tepper; Thierry; Thompson, S.; Troxclair; Turner; VanDeaver; Vo; Walle; Wilson; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Buckley; Bucy; DeAyala; Dorazio; Harris, C.E.; Harrison; Hefner; Hinojosa; Howard; Isaac; Johnson, J.E.; Leo-Wilson; Metcalf; Paul; Ramos; Rosenthal; Schaefer; Schatzline; Slawson; Swanson; Talarico; Thimesch; Thompson, E.; Tinderholt; Toth.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Cain; Frazier; Gerdes; Harris, C.J.; Rose; Smith; Vasut.

**STATEMENTS OF VOTE**

When Record No. 2025 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 2025 was taken, my vote failed to register. I would have voted yes.

Gerdes

When Record No. 2025 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

**CSSB 2593 ON SECOND READING  
(Moody - House Sponsor)**

**CSSB 2593**, A bill to be entitled An Act relating to a defense to prosecution for certain assaultive offenses involving the use or exhibition of a less-lethal projectile device by a peace officer.

Representative Moody moved to postpone consideration of **CSSB 2593** until 10 a.m. Monday, August 17, 2026.

The motion prevailed.

**SB 532 ON SECOND READING  
(Kuempel, M. González, and Anchía - House Sponsors)**

**SB 532**, A bill to be entitled An Act relating to repayment of certain mental health professional education loans.

**Amendment No. 1**

Representative Lalani offered the following amendment to **SB 532**:

Amend **SB 532** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 51.9194, Education Code, is amended to read as follows:

Sec. 51.9194. REQUIRED INFORMATION FOR ENTERING STUDENTS REGARDING MENTAL HEALTH AND SUICIDE PREVENTION SERVICES. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) An institution of higher education [~~A general academic teaching institution~~] shall provide to each entering [full-time] undergraduate, graduate, or professional student, including each [full-time] undergraduate, graduate, or professional student who transfers to the institution, information about:

(1) available mental health and suicide prevention services offered by the institution or by any associated organizations or programs; and

(2) early warning signs that are often present in and appropriate intervention for a person who may be considering suicide.

(c) ~~(b)~~ The information required under this section:

(1) may be provided through:

(A) a live presentation; or

(B) a format that allows for student interaction, such as an online program or video; ~~and~~

(2) may not be provided in a paper format only; and

(3) must include a campus map identifying any location at which mental health services are provided to students on campus and information regarding how to access the services.

(d) If an institution of higher education provides a tour during an on-campus orientation for entering students, the tour must identify at least one location described by Subsection (c)(3) that is available for use by all students of the institution.

SECTION \_\_\_\_\_. Section 51.9194, Education Code, as amended by this Act, applies beginning with entering students at public institutions of higher education for the 2023 fall semester.

Amendment No. 1 was adopted.

## Amendment No. 2

Representative Frazier offered the following amendment to **SB 532**:

Amend **SB 532** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 61.9831, Education Code, is amended to read as follows:

Sec. 61.9831. LOAN REPAYMENT ASSISTANCE AUTHORIZED. The board shall provide, in accordance with this subchapter and board rules, assistance in the repayment of eligible student loans for eligible persons who agree to teach mathematics or science for a specified period in public schools ~~[that receive federal funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.)]~~.

SECTION \_\_\_\_\_. Sections 61.9832(a) and (c), Education Code, are amended to read as follows:

(a) To be eligible to receive loan repayment assistance under this subchapter, a person must:

(1) apply annually for the loan repayment assistance in the manner prescribed by the board;

(2) be a United States citizen;

(3) have completed an undergraduate or graduate program in mathematics or science;

(4) have a cumulative grade point average of at least 3.0 on a four-point scale or the equivalent;

(5) be:

(A) certified under Subchapter B, Chapter 21, to teach mathematics or science in a public school in this state; or

(B) teaching under a probationary teaching certificate;

(6) have been employed for at least one year as a teacher teaching mathematics or science at a public school [~~that receives funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.)~~];

(7) not be in default on any other education loan;

(8) not receive any other state or federal loan repayment assistance, including a Teacher Education Assistance for College and Higher Education (TEACH) Grant or teacher loan forgiveness;

(9) enter into an agreement with the board under Subsection (c); and

(10) comply with any other requirement adopted by the board under this subchapter.

(c) To receive loan repayment assistance under this subchapter, a person must enter into an agreement with the board that includes the following provisions:

(1) the person will accept an offer of full-time employment to teach mathematics or science, as applicable based on the person's certification, in a public school [~~that receives funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.)~~];

(2) the person will complete four consecutive years of employment in any public school as a full-time classroom teacher [~~in a school described by Subdivision (1)~~] whose primary duty is to teach mathematics or science, as applicable, based on the person's certification;

(3) beginning with the school year immediately following the last of the four consecutive school years described by Subdivision (2), the person will complete an additional number of consecutive school years teaching in any public school in this state, as prescribed by board rule; and

(4) the person acknowledges the conditional nature of the loan repayment assistance.

SECTION \_\_\_\_\_. Section 61.9839(a), Education Code, is amended to read as follows:

(a) Subject to Sections 61.9833(b) and 61.9838(c), an [An] eligible person may continue to receive the same amount of loan repayment assistance received during the first four consecutive years of teaching service required under Section 61.9832(c)(2) if the person continues to teach in a public school in accordance with board rules for the prescribed number of consecutive school years occurring immediately after those [~~that receives funding under Title I, Elementary and Secondary Education Act of 1965 (20 U.S.C. Section 6301 et seq.), after the~~] first four years [~~of teaching service required under Section 61.9832(c)(2)~~].

SECTION \_\_\_\_\_. Section 61.9839(b), Education Code, is repealed.

SECTION \_\_\_\_\_. (a) As soon as practicable after the effective date of this Act, the Texas Higher Education Coordinating Board shall adopt rules necessary to administer Sections 61.9831, 61.9832, and 61.9839, Education Code, as amended by this Act.

(b) Sections 61.9831, 61.9832, and 61.9839, Education Code, as amended by this Act, apply only to a loan repayment assistance agreement entered into under Subchapter KK, Chapter 61, Education Code, on or after the effective date

of this Act. A loan repayment assistance agreement entered into before the effective date of this Act is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

A record vote was requested.

**SB 532**, as amended, was passed to third reading by (Record 2026): 96 Yeas, 47 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Bryant; Bucy; Burns; Burrows; Button; Campos; Clardy; Cole; Collier; Cortez; Davis; Dean; Dutton; Flores; Frazier; Gámez; García; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Hernandez; Hinojosa; Howard; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kuempel; Lalani; Lambert; Landgraf; Longoria; Lopez, J.; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smith; Talarico; Thierry; Thompson, S.; Turner; VanDeaver; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Buckley; Bumgarner; Cain; Capriglione; Cook; Craddick; Cunningham; Darby; DeAyala; Dorazio; Frank; Gerdes; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Isaac; Jetton; Kitzman; Leach; Leo-Wilson; Metcalf; Murr; Noble; Patterson; Paul; Rogers; Schaefer; Schatzline; Shaheen; Slawson; Smith; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Canales; Klick; Vasut.

### **SB 544 ON SECOND READING** **(Moody - House Sponsor)**

**SB 544**, A bill to be entitled An Act relating to the issuance of a temporary teaching certificate to and requirements regarding educator certification for certain persons with experience as instructors for the Community College of the Air Force.

#### **Amendment No. 1**

Representative Moody offered the following amendment to **SB 544**:

Amend **SB 544** (house committee report) on page 1, line 11, between "who" and "has", by inserting "holds a bachelor's degree and".

Amendment No. 1 was adopted.

**SB 544**, as amended, was passed to third reading.

**SB 2376 - RULES SUSPENDED**  
**HOUSE SPONSOR AUTHORIZED**

Representative Canales moved to suspend Rule 8, Section 5(d), of the House Rules to designate Representative Cain as a house sponsor to **SB 2376**.

The motion prevailed.

**CSSB 2376 ON SECOND READING**  
**(Canales - House Sponsor)**

**CSSB 2376**, A bill to be entitled An Act relating to the issuance of Support Adoption specialty license plates and to the Support Adoption account and certain voluntary contributions to that account.

**CSSB 2376** was passed to third reading.

**SB 812 ON SECOND READING**  
**(Cortez, Allison, Campos, and Oliverson - House Sponsors)**

**SB 812**, A bill to be entitled An Act relating to food allergen awareness in food service establishments, food handler and food manager certifications, and food service training or education programs.

A record vote was requested.

**SB 812** was passed to third reading by (Record 2027): 111 Yeas, 34 Nays, 2 Present, not voting.

Yeas — Allen; Allison; Anchía; Anderson; Ashby; Bailes; Bernal; Bhojani; Bonnen; Bowers; Buckley; Bucy; Burns; Burrows; Button; Campos; Canales; Capriglione; Clardy; Cole; Collier; Cook; Cortez; Cunningham; Davis; Dutton; Flores; Frazier; Gámez; Garcia; Gates; Geren; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Guillen; Harless; Harris, C.E.; Hernandez; Hinojosa; Holland; Howard; Hunter; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Kacal; King, K.; King, T.; Kitzman; Klick; Lalani; Lambert; Landgraf; Leach; Longoria; Lopez, R.; Lozano; Lujan; Manuel; Martinez; Martinez Fischer; Metcalf; Meyer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Morrison; Muñoz; Murr; Neave Criado; Oliverson; Ordaz; Orr; Ortega; Perez; Plesa; Price; Ramos; Raney; Raymond; Reynolds; Romero; Rose; Rosenthal; Schofield; Sherman; Shine; Smith; Smithee; Stucky; Talarico; Tepper; Thierry; Thimesch; Thompson, E.; Thompson, S.; Toth; Turner; VanDeaver; Vasut; Vo; Walle; Wu; Zwiener.

Nays — Bell, C.; Bell, K.; Bumgarner; Cain; Craddick; Darby; Dean; DeAyala; Dorazio; Frank; Gerdes; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Isaac; Jetton; Kuempel; Leo-Wilson; Lopez, J.; Noble; Patterson; Paul; Rogers; Schaefer; Schatzline; Shaheen; Slawson; Spiller; Swanson; Tinderholt; Troxclair; Wilson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Herrero.

Absent — Bryant.

**STATEMENTS OF VOTE**

When Record No. 2027 was taken, I was shown voting no. I intended to vote yes.

C. Bell

When Record No. 2027 was taken, I was shown voting yes. I intended to vote no.

Frazier

When Record No. 2027 was taken, I was shown voting yes. I intended to vote no.

Landgraf

**SB 833 ON SECOND READING**

**(Oliverson, Paul, C.J. Harris, et al. - House Sponsors)**

**SB 833**, A bill to be entitled An Act relating to consideration by insurers of certain prohibited criteria for ratemaking.

**Amendment No. 1**

Representative Zwiener offered the following amendment to **SB 833**:

Amend **SB 833** (house committee report) on page 1, line 4, by striking the enacting clause.

(Speaker in the chair)

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 2028): 61 Yeas, 83 Nays, 1 Present, not voting.

Yeas — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Dutton; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Nays — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Capriglione; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; Kitzman; Klick; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Muñoz; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Cain; King, K.; Kuempel.

### **SB 833 - POINT OF ORDER**

Representative J.E. Johnson raised a point of order against further consideration of **SB 833** under Rule 4, Section 32(c)(1), of the House Rules.

The speaker overruled the point of order, announcing his decision to the house as follows:

Ms. Johnson of Dallas raises a point of order against further consideration of **SB 833** under Rule 4, Section 32(c)(1), on the grounds that the bill analysis is substantially or materially misleading.

Ms. Johnson notes that the background and purpose statement repeatedly uses the term "insurance company" to describe the class of entities affected by the bill. She notes that the bill also applies to "other entit[ies] authorized to engage in the business of insurance in this state" and that the statement does not identify these entities.

The background and purpose statement may use terms colloquially as they are understood by a reader of average intelligence and that use is neither substantially nor materially misleading. Here, the statement does exactly that. The analysis complies with the rule.

Accordingly, the point of order is respectfully overruled.

### **SB 833 - MOTION FOR PREVIOUS QUESTION**

Representative Cain moved the previous question on the passage to third reading of **SB 833**.

The motion was seconded by Representatives Schaefer, Swanson, Toth, Harrison, Schofield, Isaac, Smithee, Wilson, Jetton, Shaheen, C.J. Harris, Kitzman, Schatzline, Tinderholt, Morrison, Cain, Patterson, Paul, E. Thompson, Tepper, Leo-Wilson, Lujan, C.E. Harris, J. Lopez, Thimesch, Dorazio, and Vasut.

The motion for the previous question prevailed by (Record 2029): 79 Yeas, 61 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Clardy; Cook; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Hull; Hunter; Isaac; Jetton; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Cortez; Davis; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; King, T.; Lalani; Longoria; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Capriglione; Dutton; Holland; Kacal; King, K.; Raymond; Troxclair.

A record vote was requested.

**SB 833** was passed to third reading by (Record 2030): 86 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allison; Anderson; Ashby; Bailes; Bell, C.; Bell, K.; Bonnen; Buckley; Bumgarner; Burns; Burrows; Button; Cain; Clardy; Cook; Cortez; Craddick; Cunningham; Darby; Dean; DeAyala; Dorazio; Frank; Frazier; Gates; Gerdes; Geren; Goldman; Guillen; Harless; Harris, C.E.; Harris, C.J.; Harrison; Hayes; Hefner; Holland; Hull; Hunter; Isaac; Jetton; Kacal; King, K.; King, T.; Kitzman; Klick; Kuempel; Lambert; Landgraf; Leach; Leo-Wilson; Lopez, J.; Lozano; Lujan; Metcalf; Meyer; Morrison; Murr; Noble; Oliverson; Orr; Patterson; Paul; Price; Raney; Raymond; Rogers; Schaefer; Schatzline; Schofield; Shaheen; Shine; Slawson; Smith; Smithee; Spiller; Stucky; Swanson; Tepper; Thimesch; Thompson, E.; Tinderholt; Toth; Troxclair; VanDeaver; Vasut; Wilson.

Nays — Allen; Anchía; Bernal; Bhojani; Bowers; Bryant; Bucy; Campos; Canales; Cole; Collier; Davis; Flores; Gámez; Garcia; Gervin-Hawkins; González, J.; González, M.; Goodwin; Guerra; Hernandez; Hinojosa; Howard; Johnson, A.; Johnson, J.D.; Johnson, J.E.; Jones, J.; Jones, V.; Lalani; Lopez, R.; Manuel; Martinez; Martinez Fischer; Meza; Moody; Morales, C.; Morales, E.; Morales Shaw; Muñoz; Neave Criado; Ordaz; Ortega; Perez; Plesa; Ramos; Reynolds; Romero; Rose; Rosenthal; Sherman; Talarico; Thierry; Thompson, S.; Turner; Vo; Walle; Wu; Zwiener.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Herrero.

Absent — Capriglione; Dutton; Longoria.

### STATEMENT OF VOTE

When Record No. 2030 was taken, I was shown voting yes. I intended to vote no.

Raymond

**CSSB 590 ON SECOND READING****(Dutton, Leach, Patterson, and Vasut - House Sponsors)**

**CSSB 590**, A bill to be entitled An Act relating to a court order for retroactive child support, including for retroactive child support beginning on the date of the child's conception.

**Amendment No. 1**

Representative Dutton offered the following amendment to **CSSB 590**:

Amend **CSSB 590** (house committee report) as follows:

(1) On page 1, line 7, strike "amending Subsection (d) and".

(2) On page 1, strike lines 9 through 18 and substitute the following:

(g) Notwithstanding Subsections (c) and (d), in addition to the amount of any retroactive child support ordered for a child under this section to accrue beginning on a date following the child's birth, the court may order an additional amount of retroactive child support for the child to accrue beginning on the earliest possible date of the child's conception, as determined by:

(3) Strike page 1, line 23, through page 2, line 2, and substitute the following:

(h) The amount of retroactive child support ordered under Subsection (g) may not exceed an equitable portion of:

(1) the reasonable and necessary maternity expenses of the mother and the child; and

(2) the prenatal and postnatal health care expenses of the mother and the child.

(4) On page 2, strike line 13 and substitute ", on the request of a party and on a proper showing, may".

**MIDNIGHT**

The proceedings continued after 12 a.m. and the following actions occurred on Wednesday, May 24:

**CSSB 590 - POINT OF ORDER**

Representative Dutton raised a point of order against further consideration of **CSSB 590** and the calendar under Rule 8, Section 13(c), of the House Rules on the grounds that the deadline for consideration of senate bills on second reading had passed. The point of order was sustained.

The ruling precluded further consideration of **CSSB 590** and the calendar.

**RESOLUTIONS REFERRED TO COMMITTEES**

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1 - May 24.)

**MESSAGES FROM THE SENATE**

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 1 and 2 - May 24).

## RECESS

Representative Hunter moved that the house recess until 10 a.m. today in memory of Carlos H. Peña Sr. of Robstown.

The motion prevailed.

The house accordingly, at 12:03 a.m. Wednesday, May 24, recessed until 10 a.m. today.

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## ADDENDUM

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### REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

#### List No. 1 - May 24

**HCR 120** (By Landgraf), Commemorating the 50th anniversary of The University of Texas Permian Basin on the occasion of UTPB Day at the State Capitol on May 3, 2023.

To Resolutions Calendars.

**HR 2193** (By Lozano), Congratulating Dr. Frank B. Ashley III on his retirement as senior professor and executive associate dean of the Texas A&M University Bush School of Government and Public Service.

To Resolutions Calendars.

**HR 2194** (By K. Bell), Congratulating Robin Dunlap of Terrell on running marathons in all 50 U.S. states.

To Resolutions Calendars.

**HR 2195** (By Bumgarner), Commemorating the 25th anniversary of Scouts BSA Troop No. 753 in Carrollton.

To Resolutions Calendars.

**HR 2196** (By Bumgarner), Congratulating Officer Peter Fodor on his retirement from the Flower Mound Police Department.

To Resolutions Calendars.

**HR 2197** (By Kacal), Congratulating Dr. Karen Champion of Bryan on her election as president of the Federation of Chiropractic Licensing Boards.

To Resolutions Calendars.

**HR 2198** (By Allison), Congratulating Frances Tankersley Messer on her 100th birthday.

To Resolutions Calendars.

**HR 2199** (By Allison), Congratulating the Alamo Heights High School girls' blue team on placing first and the gold team on placing fifth at the 2023 UIL Golf State Tournament.

To Resolutions Calendars.

**HR 2200** (By Hefner), Commemorating the 75th anniversary of Big Sandy Sand Company.

To Resolutions Calendars.

**HR 2201** (By Ordaz), Commending Azul Martinez for her service as a policy aide in the office of State Representative Claudia Ordaz during the 88th Legislative Session.

To Resolutions Calendars.

**HR 2202** (By Neave Criado), Commending the Valle family for its contributions to the city of Garland.

To Resolutions Calendars.

**HR 2203** (By Neave Criado), Commending Manaal Shaikh for her service as a legislative aide in the office of State Representative Victoria Neave Criado.

To Resolutions Calendars.

**HR 2204** (By Neave Criado), Commending Monserrat Garcia Rodriguez for her service as a legislative intern in the office of State Representative Victoria Neave Criado.

To Resolutions Calendars.

**HR 2205** (By Neave Criado), Congratulating Vita Williams on her success with Vita Credit Queen, LLC.

To Resolutions Calendars.

**HR 2206** (By V. Jones), Commending Alaina Colleen Dixon on her service as an administrative aide and Texas Legislative Internship Program Fellow in the office of State Representative Venton Jones.

To Resolutions Calendars.

**HR 2207** (By V. Jones), Commending Kevin Sean Roberts for his service as a legislative aide in the office of State Representative Venton Jones during the 88th Legislature.

To Resolutions Calendars.

**HR 2208** (By V. Jones), Commending Cecilia Bee Garcia for her service as legislative director in the office of State Representative Venton Jones.

To Resolutions Calendars.

**HR 2209** (By V. Jones), Commending Toni Rahchelle Bryant for her service as district director in the office of State Representative Venton Jones.

To Resolutions Calendars.

**HR 2210** (By V. Jones), Commending Gavin Riley Nicholson for his service as chief of staff in the office of State Representative Venton Jones.

To Resolutions Calendars.

**HR 2211** (By Herrero), Congratulating Eleana Alvarez on graduating as salutatorian of the Class of 2023 at Bishop High School.

To Resolutions Calendars.

**HR 2212** (By J. González), Commending the staff of State Representative Jessica González for their service during the 88th Legislative Session.

To Resolutions Calendars.

**HR 2213** (By Toth), In memory of Kathryn Jean Nielsen Ross.

To Resolutions Calendars.

**HR 2214** (By J.D. Johnson), Congratulating the Klein Forest High School boys' track team on winning the 6A championship at the 2023 UIL Track & Field State Meet.

To Resolutions Calendars.

**HR 2215** (By J.D. Johnson), Commending Taressa Reid for her service as a legislative intern in the office of State Representative Jarvis Johnson.

To Resolutions Calendars.

**HR 2216** (By J.D. Johnson), Commending Katharine Milne for her service as a legislative aide in the office of State Representative Jarvis Johnson.

To Resolutions Calendars.

**HR 2217** (By J.D. Johnson), Commending Destiny Montemayor for her service as a legislative assistant in the office of State Representative Jarvis Johnson.

To Resolutions Calendars.

**HR 2218** (By Turner), Congratulating Cheryl Smith on her retirement from Alliance/AFT.

To Resolutions Calendars.

**HR 2219** (By Neave Criado), Commending Claire Saldaña for her service as an assistant committee clerk for the County Affairs Committee and its chair, State Representative Victoria Neave Criado.

To Resolutions Calendars.

**HR 2220** (By Turner), Honoring the Rotary Club of Arlington on the occasion of its centennial.

To Resolutions Calendars.

**HR 2221** (By Herrero), In memory of Michael Winston Flower of Corpus Christi.

To Resolutions Calendars.

**HR 2222** (By Price), Congratulating Tricia Shay on her selection as the 2022-2023 Secondary Teacher of the Year by the Region 16 Education Service Center.

To Resolutions Calendars.

**HR 2223** (By Price), Congratulating Karen Lermom of White Deer High School on being named the 2023 High School Advisor of the Year by District 1 of the Texas Association of Student Councils.

To Resolutions Calendars.

**HR 2224** (By Button), Congratulating Dale Craymer on his retirement as president of the Texas Taxpayers and Research Association.

To Resolutions Calendars.

**HR 2225** (By Davis), Congratulating Midiam Espinosa on her selection as the 2023 Duncanville ISD Secondary Teacher of the Year.

To Resolutions Calendars.

**HR 2226** (By Davis), Congratulating Raven Hill on her selection as the 2023 Duncanville ISD Elementary Teacher of the Year.

To Resolutions Calendars.

**HR 2227** (By Turner), Honoring LifeLine Shelter for Families on its 20th annual Freedom Luncheon.

To Resolutions Calendars.

**HR 2228** (By Dutton), Congratulating Maxine Curvey of Houston on her 90th birthday.

To Resolutions Calendars.

**HR 2229** (By Price), Congratulating Amarillo College on its receipt of a 2023 Aspen Prize for Community College Excellence from the Aspen Institute.

To Resolutions Calendars.

**HR 2230** (By Price), Commemorating the centennial of the Amarillo Symphony.

To Resolutions Calendars.

**HR 2231** (By Price), Commemorating the 115th anniversary of Family Support Services of Amarillo.

To Resolutions Calendars.

**HR 2232** (By Reynolds), Congratulating Xavier Herrera on his reelection to the Stafford City Council.

To Resolutions Calendars.

### **SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

#### **House List No. 28**

**HB 315, HB 430, HB 630, HB 660, HB 699, HB 975, HB 995, HB 999, HB 1002, HB 1198, HB 1199, HB 1283, HB 1305, HB 1330, HB 1526, HB 1703, HB 1794, HB 2177, HB 2443, HB 2503, HB 2671, HB 3712, HB 3956, HB 4170, HB 5409**

**MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1****MESSAGE FROM THE SENATE****SENATE CHAMBER**

Austin, Texas

Tuesday, May 23, 2023

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

**THE SENATE HAS PASSED THE FOLLOWING MEASURES:**

**HB 53** Thompson, Ed **SPONSOR: Eckhardt**  
Relating to the exemption from registration fees of certain vehicles used by nonprofit disaster relief organizations.

**HB 614** Shaheen **SPONSOR: Springer**  
Relating to property owners' association fines.

**HB 681** Bell, Keith **SPONSOR: Bettencourt**  
Relating to the provision of virtual education in public schools and to certain waivers and modifications by the commissioner of education to the method of calculating average daily attendance in an emergency or crisis for purposes of preserving school district funding entitlements under the Foundation School Program during that emergency or crisis; authorizing a fee.  
(Committee Substitute/Amended)

**HB 729** Rose **SPONSOR: West**  
Relating to the statewide intellectual and developmental disability coordinating council.

**HB 968** Gates **SPONSOR: Kolkhorst**  
Relating to procedures in certain suits affecting the parent-child relationship filed by the Department of Family and Protective Services.

**HB 1105** Price **SPONSOR: Kolkhorst**  
Relating to preventative health care and public health, including prohibited immunization and face-covering requirements, private business or school closures, and the ordering and administration of immunizations by a pharmacist.  
(Committee Substitute/Amended)

**HB 1337** Hull **SPONSOR: Menéndez**  
Relating to step therapy protocols required by health benefit plans for coverage of prescription drugs for serious mental illnesses.

**HB 1540** Holland **SPONSOR: Paxton**

Relating to the San Jacinto River Authority, following recommendations of the Sunset Advisory Commission; specifying grounds for the removal of a member of the board of directors.

(Committee Substitute)

**HB 1590**

Burns

SPONSOR: West

Relating to the establishment of the Texas Leadership Scholars Program.

(Committee Substitute)

**HB 1592**

Oliverson

SPONSOR: Hancock

Relating to the application of balance billing prohibitions and out-of-network dispute resolution procedures to certain self-insured or self-funded employee welfare benefit plans.

**HB 1649**

Button

SPONSOR: Parker

Relating to health benefit coverage for certain fertility preservation services under certain health benefit plans.

(Amended)

**HB 1688**

Murr

SPONSOR: Flores

Relating to water quality protection areas.

**HB 1696**

Buckley

SPONSOR: Hughes

Relating to the relationship between managed care plans and optometrists and therapeutic optometrists.

**HB 1707**

Klick

SPONSOR: Hughes

Relating to the applicability of certain laws to open-enrollment charter schools.

(Committee Substitute)

**HB 1926**

Hull

SPONSOR: Paxton

Relating to the expiration date and funding of the supplemental special education services program.

**HB 2478**

Klick

SPONSOR: Blanco

Relating to newborn and infant screening tests.

**HB 2495**

Price

SPONSOR: Johnson

Relating to the requirements to obtain or renew an athletic trainer license.

**HB 3009**

VanDeaver

SPONSOR: Zaffirini

Relating to the health care providers authorized to examine a person to determine whether the person is incapacitated for purposes of certain guardianship proceedings.

(Amended)

**HB 3265**

Manuel

SPONSOR: Alvarado

Relating to the submission of certain reports by the Health and Human Services Commission.

(Amended)

**HB 3359**

Bonnen

SPONSOR: Schwertner

Relating to network adequacy standards and other requirements for preferred provider benefit plans.

(Amended)

**HB 3436**

Rogers

SPONSOR: King

Relating to the authority of the Texas Military Department to negotiate the release of a reversionary interest and certain other interests of the state in certain property in Palo Pinto County owned by the Palo Pinto County Livestock Association.

**HB 3727**

Anderson

SPONSOR: Birdwell

Relating to municipal and county hotel occupancy taxes.  
(Committee Substitute/Amended)

**HB 3810**

Landgraf

SPONSOR: Perry

Relating to certain notices provided to the Texas Commission on Environmental Quality by public water supply systems.  
(Committee Substitute)

**HB 3908**

Wilson

SPONSOR: Creighton

Relating to fentanyl abuse prevention and drug poisoning awareness education in public schools.  
(Amended)

**HB 4069**

Meyer

SPONSOR: Hancock

Relating to the required disclosure of prices by a veterinarian before providing emergency treatment to an ill or injured animal.

**HB 4169**

Price

SPONSOR: Sparks

Relating to providing prevocational or similar services under certain Medicaid waiver programs.  
(Amended)

**HB 4233**

Zwiener

SPONSOR: Zaffirini

Relating to training regarding runaway prevention for certain individuals who provide care for children in the conservatorship of the Department of Family and Protective Services.

**HB 4256**

Murr

SPONSOR: Blanco

Relating to the establishment of a grant program to plug leaking water wells in certain counties.  
(Committee Substitute)

**HB 4372**

Oliverson

SPONSOR: Campbell

Relating to the commissioning of peace officers by certain private schools.

**HB 4494**

Vasut

SPONSOR: Huffman

Relating to eligible coastal municipalities for purposes of the municipal hotel occupancy tax.

**HB 4843**

Holland

SPONSOR: Huffman

Relating to increasing the minimum term of imprisonment and changing the eligibility for community supervision and parole for certain felony offenses in which a firearm is used or exhibited, to certain consequences on conviction of certain of those offenses, and to increasing the criminal penalty for the offense of unlawful possession of a firearm by a person convicted of a felony.  
(Committee Substitute)

**HB 4885** Landgraf SPONSOR: Birdwell  
Relating to programs established and funded under the Texas emissions reduction plan.  
(Committee Substitute)

**HB 4997** Kuempel SPONSOR: Campbell  
Relating to a campus of the Texas State Technical College System located in Comal County and Guadalupe County.

**HB 5330** Reynolds SPONSOR: Miles  
Relating to the service area of the Houston Community College System District.

**HB 5373** Canales SPONSOR: Hinojosa  
Relating to the powers and duties of the Hidalgo County Drainage District No. 1.  
(Committee Substitute)

**HCR 29** Leo-Wilson SPONSOR: Hall  
Designating the second to last week in April as Texas Christian Heritage Week for a 10-year period ending in 2033.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Tuesday, May 23, 2023 - 2

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

**SB 61** (31 Yeas, 0 Nays)

**SB 1080** (31 Yeas, 0 Nays)

**SB 1397** (31 Yeas, 0 Nays)

THE SENATE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

**SB 763** (19 Yeas, 12 Nays)

**SB 1188** (31 Yeas, 0 Nays)

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 1 - May 24**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Wednesday, May 24, 2023 - 4

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HB 4758**                      Thierry                      SPONSOR: Springer  
Relating to a prohibition on certain e-cigarette products; creating a criminal offense.  
(Amended)

Respectfully,  
Patsy Spaw  
Secretary of the Senate

**Message No. 2 - May 24**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Wednesday, May 24, 2023 - 3

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HB 14**                      Harris, Cody                      SPONSOR: Bettencourt  
Relating to third-party review of plats and property development plans, permits, and similar documents, and the inspection of an improvement related to such a document.

**HB 299**                      Murr                      SPONSOR: Johnson

Relating to the creation of a voluntary accreditation for recovery housing; authorizing fees.

**HB 400**

Klick

SPONSOR: Kolkhorst

Relating to innovation grant programs to support residency training programs in psychiatric specialty fields and recruitment, training, and retention programs in behavioral health fields.

**HB 1182**

Harless

SPONSOR: Whitmire

Relating to judicial statistics and other pertinent information gathered by the Texas Judicial Council and certain populous counties.

(Committee Substitute/Amended)

**HB 1228**

Metcalf

SPONSOR: Springer

Relating to the right of a property owner or the owner's agent to receive on request a copy of the information used to appraise the owner's property for ad valorem tax purposes.

(Amended)

**HB 1486**

Gerdes

SPONSOR: Whitmire

Relating to the adoption of a mental health leave policy for certain telecommunicators.

**HB 1603**

Guillen

SPONSOR: Hinojosa

Relating to the procedures governing the prosecution of misdemeanor offenses in the jurisdiction of the justice and municipal courts.

**HB 1833**

Shaheen

SPONSOR: King

Relating to increasing the criminal penalty for the offense of criminal mischief involving a critical infrastructure facility or public power supply.

(Committee Substitute/Amended)

**HB 2188**

Paul

SPONSOR: Campbell

Relating to the qualifications of statistical agents for the commissioner of insurance.

**HB 2442**

Guillen

SPONSOR: Flores

Relating to certificates of public convenience and necessity issued to certain retail public utilities.

**HB 2488**

Geren

SPONSOR: Alvarado

Relating to the burden of proof in certain ad valorem tax appeals.

(Committee Substitute/Amended)

**HB 2969**

Cook

SPONSOR: Hancock

Relating to prohibiting a maximum age or age differential for prospective adoptive parents.

**HB 3033**

Landgraf

SPONSOR: Zaffirini

Relating to the public information law.

(Committee Substitute/Amended)

**HB 3456**

Ashby

SPONSOR: Hinojosa

Relating to the continuation of certain health care provider participation programs in this state.

(Committee Substitute)

**HB 4550**

Cunningham

SPONSOR: Alvarado

Relating to the qualified allocation plan and manual adopted for the allocation of low income housing tax credits.

(Amended)

**HB 4635**

Guillen

SPONSOR: Flores

Relating to organized crime, racketeering activities, and collection of unlawful debts; providing a civil penalty; creating criminal offenses.

(Committee Substitute)

**HB 4835**

Metcalf

SPONSOR: Nichols

Relating to the creation and operations of certain health care provider participation programs.

**HB 5372**

Schofield

SPONSOR: Huffman

Relating to the creation of The Grand Prairie Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

(Committee Substitute)

Respectfully,

Patsy Spaw

Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**May 22**

House Administration - **SCR 22**

Public Health - **SB 403**

Ways and Means - **SB 1000, SB 1814, SB 1923**

**ENROLLED**

**May 22 - HB 315, HB 430, HB 630, HB 660, HB 699, HB 975, HB 995, HB 999, HB 1002, HB 1198, HB 1199, HB 1283, HB 1305, HB 1330, HB 1526, HB 1703, HB 1794, HB 2177, HB 2443, HB 2503, HB 2671, HB 3712, HB 4170, HB 5174, HB 5409**

**SENT TO THE GOVERNOR**

**May 22 - HB 87, HB 165, HB 255, HB 517, HB 558, HB 562, HB 584, HB 608, HB 616, HB 659, HB 728, HB 767, HB 841, HB 898, HB 907, HB 1074, HB 1106, HB 1114, HB 1221, HB 1381, HB 1391, HB 1393,**

HB 1423, HB 1472, HB 1488, HB 1547, HB 1587, HB 1615, HB 1633,  
HB 1666, HB 1689, HB 1819, HB 1826, HB 1901, HB 1912, HB 1925,  
HB 1957, HB 1964, HB 1971, HB 2007, HB 2012, HB 2016, HB 2024,  
HB 2070, HB 2083, HB 2195, HB 2196, HB 2217, HB 2230, HB 2248,  
HB 2251, HB 2271, HB 2384, HB 2388, HB 2453, HB 2459, HB 2468,  
HB 2489, HB 2497, HB 2518, HB 2545, HB 2568, HB 2629, HB 2674,  
HB 2732, HB 2746, HB 2774, HB 2802, HB 2892, HB 2901, HB 2921,  
HB 3013, HB 3075, HB 3125, HB 3222, HB 3273, HB 3497, HB 3514,  
HB 3574, HB 3582, HB 3647, HB 3673, HB 3698, HB 3803, HB 3813,  
HB 3989, HB 3993, HB 4005, HB 4073, HB 4101, HB 4166, HB 4210,  
HB 4331, HB 4332, HB 4381, HB 4559, HB 4615, HB 4700, HB 4797,  
HB 5174, HB 5232, HB 5260, HB 5325, HB 5326, HB 5329, HB 5347,  
HB 5350, HB 5355, HB 5362, HB 5366, HB 5399, HCR 119